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COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES FOR 1982

REPORT

SUBMITTED TO THE

COMMITTEE ON FOREIGN RELATIONS
U.S. SENATE

AND

COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES

BY THE

DEPARTMENT OF STATE

IN ACCORDANCE WITH SECTIONS 116(d) AND 502B(b) OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

FEBRUARY 1983

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FOREWORD

The reports on individual country human rights practices contained herein were prepared by the Department of State in accordance with sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961, as amended. They also fulfill the legislative requirement of section 31 of the Bretton Woods Agreement Act.

Because there is interest in human rights practices of all nations—those that receive U.S. foreign assistance and those that do not—these reports are being printed to assist Members of Congress in considering legislation in the area of foreign assistance.

CHARLES H. PERCY,
Chairman, Committee on Foreign Relations.
CLEMENT J. ZABLOCKI,
Chairman, Committee on Foreign Affairs.

LETTER OF TRANSMITTAL

DEPARTMENT OF STATE,
Washington, D.C., January 31, 1983.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations,
U.S. Senate.
Hon. THOMAS P. O'NEILL, Jr.,
Speaker, House of Representatives.

DEAR SIRS: I have the distinct honor to present the report prepared in compliance with sections 116(d)(1) and 502B(b) of the Foreign Assistance Act of 1961, as amended.

Sincerely,

POWELL A. MOORE,
Assistant Secretary for Congressional Relations.

Enclosure.

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[1] All of these international human rights conventions have come into force, having respectively been ratified by the required number of states as specified in the final clauses of each convention. The "X" indicates those states that have ratified the convention(s). The United States has ratified 7 of the 12 conventions, as noted under the "Europe and North America" region.

COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES

INTRODUCTION

The 1982 Human Rights Report

This report is submitted to the Congress by the Department of State in compliance with Section 116(d)(1) and 502B(b) of the Foreign Assistance Act 1961, as amended.*

The report draws on information furnished by United States Missions abroad, Congressional studies, non-governmental organizations, and human rights bodies of international organizations. Conditions in most countries are described up to the end of 1982; for a few countries, significant developments occurring during the first weeks of 1983 also are included. A list of twelve international human rights covenants and agreements is included as an Appendix to this report, along with a listing of the parties to those agreements.

Human rights can be grouped into two broad categories:

-- first, the right to be free from governmental violations of the integrity of the person -- violations such as killings, torture, cruel, inhuman, or degrading treatment or punishment; arbitrary arrest or imprisonment; denial of fair public trial; and invasion of the home;

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* Section 116(d)(1) provides as follows:

"The Secretary of State shall transmit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate, by January 31 of each year, a full and complete report regarding --

"(1) the status of internationally recognized human rights, within the meaning of subsection (a) --

(A) in countries that received assistance under this part, and

(B) in all other foreign countries which are members of the United Nations and which are not otherwise the subject of a human rights report under this Act."

Section 503(B)(b) provides as follows:

"The Secretary of State shall transmit to Congress, as part of the presentation materials for security assistance programs proposed for each fiscal year, a full and complete report, prepared with the assistance of the Assistant Secretary for Human Rights and Humanitarian Affairs, with respect to practices regarding the observance of and respect for internationally recognized human rights in each country proposed as a recipient of security assistance."

-- second, the right to enjoy civil and political liberties, including freedom of speech, press, religion, and assembly; the right of citizens to participate in governing themselves; the right to travel freely within and outside one's own country; the right to be free from discrimination based on race or sex.

The organization of the report follows these two basic categories. After an introduction, the description of conditions in each country is divided into two sections which correspond to these two categories of rights. A third section describes the government's attitude toward outside investigations of internal human rights conditions, while a fourth section discusses general economic and social conditions in the country.* Each report is then followed by statistical tables, where relevant, listing the amounts of United States bilateral assistance and multilateral development assistance for fiscal years 1980, 1981 and 1982.

The country reports are generally based upon the guidelines and format used in preparing earlier reports. Some new questions were asked this year, and some old questions asked in new ways, in order to fulfill more adequately the task mandated by Congress. The changes which have been made include the addition, in Section 1, of a new, separate, and specific category covering killings, and a sharper focus, in Section 2, on civil and political liberties. Killing for political motives, whether by governments or oppositionist political organizations, is obviously the most serious human rights violation, and deserves particular attention. In the past, political killings usually appeared in the sections on Cruel Treatment and Disappearances.

Political participation is not only an important right in itself, but also the best guarantee that other rights will be observed. This year's report therefore attempts to treat political participation in a fuller and more precise fashion than earlier years' reports. Political participation means the traditional right of citizens to choose the officials and make the laws that will govern them. It does not mean the passive membership of people in organizations or processes managed from above by a government the people did not choose. Accordingly, an effort has been made this year to be more precise about the real meanings of "elections" and "parliaments" -- to say, for example, whether there was any choice in elections. Political participation in the true sense can exist only in a democracy, although there are cases where countries are partially democratic. It is thus difficult to get a clear impression of political rights from listing various limitations of the right to self-government. What one needs to know is "who rules?" -- the people at large, a small group, a single leader? This year's reports have tried to move toward answering this question, within the constraints of available information.

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* It should be noted that statistical data on economic and social conditions in Section 4 of each country report is drawn from World Bank figures which we believe to be the most reliable available. For many countries the Bank data may be two or more years old, but we have used it because it provides the best single, reasonably reliable set of data, compiled under consistent methods for all countries. There are of course many other sources of data, many of which conflict, particularly when estimates are necessary. We have used the World Bank data as a rule; only when it is clear that this data is significantly out-of-date or that a particular estimate is seriously questionable, have we substituted data from other sources.

Greater emphasis has also been placed in the 1982 country reports on the right of labor unions to organize. This right is extremely important not only as a function of the right to freedom of assembly and association, but also within the context of participation in the political system.

Finally, it is important for the comprehensiveness of these reports that they include significant violations not only by the government but also by opposition or insurgent groups, including terrorists. An attempt has been made to portray the wider context of the human rights situation, including threats from hostile powers or guerrilla insurgencies. Such pressures on a government or society do not excuse human rights violations, but an awareness of them is vital to a full understanding of the human rights situation.

The Problems of Human Rights

The moral principles we call human rights incorporate maxims of justice of every epoch and every culture. The specific concern for human rights as we understand them, however, has not existed throughout human history. It originated as a set of demands in seventeenth-century England, and was first embodied in political institutions in the United States, after 1776. Older moral codes and philosophies laid primary emphasis not on rights, but duties. These codes characteristically took the form of a series of prohibitions, rather than a list of freedoms - such as freedom of religion and freedom of assembly - which the individual was justified in demanding from government.

The original understanding of the meaning of human rights was clearly expressed in the American Declaration of Independence. The Declaration asserted that human rights could not be created or abrogated by any human enactment, whether of one government or of an international body, because they were based on "the laws of nature and of nature's God," on truths which are "self-evident." Thus it was confidently stated that "all men are created equal, that they are endowed by their creator with certain inalienable rights."

When the authors of the Declaration called these rights "inalienable," they implied that rights should not depend upon the prior performance of certain duties by the citizen or be postponed until any other group of "rights" was achieved. The original enumeration of human rights in the Declaration of Independence thus did not include anything that could only be gained gradually, such as economic development.

The rights the Declaration asserted covered only part of justice as it was understood in earlier moral codes, and supplied only some of the goods men normally desired. As examples of inalienable rights, the Declaration gave "life, liberty, and the pursuit of happiness." Rights were considered to enable individuals to pursue happiness freely, but not to supply happiness itself. The human rights activists of the eighteenth centry would thus have said there was a right of individuals to develop, but no right to development. For a government to insist it could define and supply happiness itself would take away men's right to liberty.

The intention of the originators of human rights, then, seems to have been to select from the vast range of things that men need or want, certain crucial things that they are entitled to by their very nature - human rights - which, when fulfilled, will create the preconditions for the satisfaction of other needs. These preconditions are created, in this understanding, by a political system of choosing the laws and the officials that govern men, and by an economic system that enables individuals to engage freely in various approaches to the "pursuit of happiness." A democratic system was understood as the likeliest source of the other rights, and the Declaration of Independence asserts:

> That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

The original demand for human rights seems utopian in the face of conditions experienced by many nations today. But when this demand arose - in a world where there was not even one state under wholly-democratic government, and the few republics existing did not recognize the principles of inalienable rights - it appeared infinitely more visionary and unrealistic.

Yet the human rights movement in world politics proved to be unbelievably successful after 1776. It is to this historical movement that democratic countries owe their possession of rights, and because of it that other peoples express their yearnings for justice as a demand for rights. It created the contemporary situation, in which nearly every regime, no matter how narrowly based or despotic, refers to the people as the source of its legitimacy and has a constitution that provides for a representative assembly and for elections, no matter how meaningless.

Unfortunately, the widespread longing for rights in the contemporary world confronts a real lack of consensus on these rights. Many governments fear individual liberty; many others do not accept the original and distinctive intellectual foundations of the belief in human rights. Those opposing the human rights movement find themselves in a world already shaped by it, and they are compelled to fight on its ground, using the terminology of democracy. Thus there arise the many "peoples' democracies" of today that are not democratic in any normal sense. In 1776 those who practiced slavery or absolute monarchy admitted it openly; now they draw around themselves the names of freedom. A nominal consensus on human rights thus hides the reservations of leaders who remain more comfortable with the ancient priority of duties over rights, and of rulers who simply find it inconvenient or threatening to respect their subjects' rights. For such people there is a great temptation to legitimize their own interests by broadening the basic concept of rights to include these interests - thus allowing some to claim, for example, that duty to authority is a special kind of right and others to claim that certain theoretically desirable rights cannot be afforded at their country's stage of development.

This leads to increasing uncertainty as to what desirable things really are rights. This uncertainty has been encouraged by some new interpretations of social and economic rights, such as the newly minted concept of the "right to development." The urgency and moral seriousness of the need to eliminate starvation and poverty from the world are unquestionable, and continue to motivate large American foreign aid efforts. However, the idea of economic and social rights is esasily abused by repressive governments which claim that they promote human rights even though they deny their citizens the basic rights to the integrity of the person, as well as civil and political rights. This justification for repression has in fact been extensively used. No category of rights should be allowed to become an excuse for the denial of other rights. For this reason, the term economic and social rights is not used in this year's reports.

There exists, however, a profound and necessary connection between human rights and economic development. The engine of economic growth is personal liberty. Societies which protect civil and political rights are far more likely to experience economic development than societies which do not. Conversely, programs which seek to eradicate poverty provide a crucial foundation for democratic political institutions. For these reasons, a section on Economic and Social Circumstances has been included in the reports.

Human Rights in International Relations

How to embody the fundamental principles of democratic societies - human rights - in foreign policy has become an especially pressing question for the United States. Because Americans are of many faiths and ethnic heritages, the national identity of the United States is more constituted by its political principles than is that of any other powerful nation. The United States fought its bloodiest war not for territory but to free the slaves. In fact the United States, protected from the harsh necessities of foreign policy by two great oceans only entered world politics in a serious way when impelled to do so by its sense that freedom was threatened. The three times when the United States recommitted itself to active involvement with the outside world - whether in wars for the liberty of Europe or in the Marshall Plan - it has done so because it felt called to the defense of human rights.

The attempt to make foreign policy serve human rights confronts several specific problems that must be faced in developing a policy.

A continuing problem for human rights policy is the fact that it traditionally aims at affecting the domestic behavior of other countries, while governments are reluctant to alter their nation's political system for foreign policy reasons. The leverage that the United States does have is strongest in friendly countries, where we have more access and more influence. Such influence is an important resource in pursuing human rights, but its concentration in friendly countries creates a danger: human rights policy might highlight and punish human rights violations in friendly countries, while giving unfriendly countries immunity. If this took place it would blind men to the complex geography of human rights abuses in the world. Moreover, a nation that came to display a general pattern of undermining or estranging friendly governments would obviously limit its future influence over them, including its influence over their human rights behavior. This is a second problem of human rights - the need to avoid pressing only where our influence is greatest rather than where the abuses are greatest.

There is a danger that human rights policy will become like the labor of Sisyphus because it deals only with effects and not with their causes. To take an example, it is important not only to free political prisoners, but also to encourage conditions in which new political prisoners are not taken. Many, although not all, of the things we consider rights are difficult to implant in adverse conditions. This fact creates the danger that by aiming at too much we will not get what is really possible. The founders of the Weimar Republic, by aiming at a democracy stripped of all the authoritarian features of imperial Germany, created a system so fragile that it was overwhelmed by something wholly barbaric in only fourteen years. On the other hand, there still exist in many areas of the world indigenous traditions of decency that coincide in part with the human rights tradition. The best hope for creating the preconditions of effective human rights observance may sometimes lie in working on the basis of these traditions.

For all these reasons, a human rights policy, unless it is very carefully constructed, runs the danger of being ineffective. And if it is ineffective it can also be counterproductive, creating additional resistance to improvement in human rights. It can embitter bilateral relations with other countries, increasing international tension.

Efforts for human rights in the years before 1914 had the advantage that all of the major powers respected, at least in principle, the same conception of human rights. If their practice often failed to live up to their principles, there was a perceived legitimacy to the principles that caused each of these countries to develop in the direction of greater equality before the law and more and more scrupulous adherence to human rights. Because of the fundamental consensus on human rights issues, the great powers that diverged most in practice from the international consensus, such as imperial Russia, did not try to export an alternative ideology.

The fundamental consensus on human rights was broken after World War I by the successive emergence -- in Russia, Italy, and Germany -- of totalitarian regimes among the major powers. These political systems were visibly founded in opposition to the way of life of the increasingly democratic Western world. They rejected in principle the ideas upon which were based the great movement for human rights after the American and French revolutions.

The world after 1945 has been characterized by competition between two nations that embody principles -- the United States and the Soviet Union. The United States is the nation that has most vigorously undertaken the effort to make human rights a specific part of its foreign policy. The Soviet Union, on the other hand, is ruled by a very small elite through a massive bureaucratic and policy apparatus. Its regime inherits in a modified form the Marxist tradition that reacted against the philosophic ideas on which the original human rights concept was based, and superimposes this on a heritage of absolute monarchy. In contrast to the Western democracies, whose original human rights principles gradually radicalized themselves, producing a greater and greater transformation of social life, the alternative Marxist conception of justice in the USSR was soon withered by tactical compromises with the necessities of absolute rule.

The effect of Soviet foreign policy has not been to encourage human rights. The Soviet Union dominates, without their consent, not only the non-Russian peoples of the former Czarist empire, but also the nations of Eastern Europe. The efforts of the people of East Germany, Hungary, Czechoslovakia, and Poland to create freer and more open systems have all been frustrated by Soviet intervention or pressure. In 1979 the Soviet army invaded Afghanistan to impose a government unacceptable to the overwhelming majority of the Afghan people. In the developing countries, the Soviet Union has a tendency to use its influence to move governments toward political structures of the Soviet type where possible. For example, in Ethiopia, whose current government is already a friend of the Soviet Union in its foreign policy, there has been persistent Soviet pressure to create a communist party on the Soviet model. Thus a world in which several major powers were in theoretical agreement over human rights has given way to a world in which the two greatest powers are fundamentally divided over this issue.

United States Human Rights Policy

Human rights is at the core of American foreign policy because it is central to America's conception of itself. This nation did not "develop." It was created in order to make real a specific political vision. It follows that "human rights" is not something added on to our foreign policy, but its ultimate purpose: the preservation and promotion of liberty in the world. Freedom is the issue that separates us from the Soviet bloc and embodies America's claim on the imagination of people all over the world.

Our human rights policy has two goals. First, we seek to improve human rights practices in numerous countries -- to eliminate torture or brutality, to secure religious freedom, to promote free elections, and the like. A foreign policy indifferent to these issues would not appeal to the idealism of Americans, would be amoral, and would lack public support. Moreover, these are pragmatic, not utopian, actions for the United States. Our most stable, reliable allies are democracies. Our reputation among the people in important countries that are dictatorships will suffer if we come to be associated not with liberty, but with despotism. Often the people whose rights we are defending are the national leaders of future years.

As to the question of tactics, the Reagan Administration's test is effectiveness. With friendly countries, we prefer to use diplomacy, not public pronouncements. We seek not to isolate them for their injustices and thereby render ourselves ineffective, but to use our influence to effect desirable change. Our aim is to achieve results, not to make self-satisfying but ineffective gestures.

But the second goal of our human rights policy sometimes can conflict with this search for effectiveness: we seek also a public association of the United States with the cause of liberty. This is an eminently practical goal: our ability to win international cooperation and defeat anti-American propaganda will be harmed if we seem indifferent to the fate of liberty. Friendly governments are often susceptible to quiet diplomacy, and we therefore use it rather than public denunciations. But if we never appear seriously concerned about human rights in friendly countries, our policy will seem one-sided and cynical. Thus, while the Soviet bloc presents the most serious long-term human rights problem, we cannot let it falsely appear that this is our only human rights concern. So a human rights policy does inescapably mean trouble -- for example, from friendly governments if the United States Government places pressure upon them, or from the American people if their government appears not to be doing so. Yet a human rights policy embodies our deepest convictions about political life, and our interests: the defense and expansion of liberty.

Our human rights policy also has two sides, the negative and the positive. The negative side is embodied in the way we oppose (through act or word) specific human rights violations in the short term. The positive side is strongly emphasized by the Reagan Administration in which we seek over the long term to help democracy, the surest safeguard of human rights. It is a fact that most democracies have excellent human rights records; nothing is as likely as democracy to produce this result.

President Reagan has made the long-term development of democracy throughout the world a central goal of our foreign policy. Too often our human rights policy has been reactive or negative, responding to events by punishing people for bad behavior. The President wishes to go beyond this to an active, positive human rights policy. He outlined his conception in a speech to Parliament in London last June where he announced plans for two conferences that have since been held in Washington: a conference of scholars and experts on the democratization of communist countries, and a conference on free elections which included political leaders and elections officials from countries throughout the world. In addition, there is now underway a bipartisan study of how the United States can do more to promote democracy, and whether the growth of democratic institutions such as free elections, a free press, free labor unions, or an independent judiciary can be promoted through an appropriate combination of public and private effort. Recommendations for programs are expected this spring. Such programs would by their very nature need to be insulated from United States Government control, and would have to be responsive to the needs and desires of men and women who seek democracy for their own countries.

At the same time, the United States Government has assembled proposals for programs in support of democracy. The Executive branch will soon be submitting these proposals for the consideration of Congress. They contain such items as support for free labor movements abroad; working with the AFL-CIO; expanded visitor exchanges of individuals in all age groups; proposed monetary support for publishing and distributing literature and teaching materials on democracy. Also suggested are support for the free press in the form of increased journalists' exchange and training; and support for organizations whose goal is protecting proponents of democracy, whether through observing trials, strengthening judicial procedures, or building intellectual and popular support for democratic institutions and procedures.

Obviously, the positive course of human rights policy is not a substitute for an immediate and active response, including sanctions, for human rights violations when they occur. But the Administration believes that we should treat not only the symptoms but the disease -- that we should not only respond to human rights violations but also should work to establish democratic systems in which human rights violations are less likely to occur.

Positive policy of this kind will be aided by the genuine echo that the concept of human rights evokes around much of the world, and by the fact that no other conception of political justice has been able to win as much legitimacy over the last two hundred years. In aiding this movement, we will not be struggling alone, but assisting the most powerful current of history during the last 200 years. This Administration is committed to such a positive effort in support of human rights.

The Congress has already established one human rights program on the positive side. Section 116(e) of the Foreign Assistance Act provides Agency for International Development (AID) funding for programs and activities which will encourage or promote increased adherence to civil and political rights in countries eligible for United States bilateral assistance. In Fiscal Year 1982 AID funded activities of $1,645,250 in 22 countries. Activities included the education and research program of the Inter-American Institute of Human Rights in Costa Rica; support for international observers for the March 1982 elections in El Salvador; strengthening the institutional base of the Indonesian legal system; legal education programs in the Philippines; research on human rights and a public education campaign on civil and political rights by the Liberian Constitution Commission; and publication of the newly revised Zairian penal code.

Present United States human rights policy gives special attention to encouraging major improvements in the observance of human rights over the long term. But it does not neglect the simple imperative of responding to the fact of suffering. The United States is a major haven for refugees and the major contributor to the work of the United Nations High Commissioner for Refugees, giving $121.9 million in FY 1982. In FY 1982 the United States contributed over $14 million to the International Committee of the Red Cross for its programs on behalf of prisoners, missing persons, and civilians in wartime.

In the pursuit of its human rights policy the United States uses a wide range of means. Decision on foreign assistance provided by the United States take human rights conditions into account. The transfer of police and military equipment is carefully reviewed in order to avoid identifying the United States with violations of human rights. In addition, human rights policy employs a varied mix of diplomatic tools: frank discussions with foreign officials; meeting with victims of human rights abuses; and, where private diplomacy is unavailing or unavailable, public statements of concern. These instruments are applied in a manner that takes into account a country's history, culture, and current political environment, and recognizes that human rights concerns must be balanced with other fundamental interests. This Administration has used all of these instruments at one time or another.

Regional and International Institutions for the Protection of Human Rights

During the past year the United States has pursued in international organizations the theme established early in the Reagan Administration: to oppose in international fora the double standard applied to human rights violations and to work toward a more regional approach to solving international human rights concerns.

The 38th (1982) session of the United Nations Human Rights Commission (HRC) met in Geneva as the Polish Government, urged on by the Soviet Union, acted to suppress the human rights of the Polish people. The Commission adopted a resolution expressing its deep concern over the widespread violations of human rights and fundamental freedoms in Poland, and affirmed the rights of the Polish people to pursue their political and economic development free from outside interference. Specifically, the resolution called upon the Secretary-General to undertake a thorough study of the human rights situation in Poland and to present a comprehensive report to the 1983 session of the Commission.

This action represented the first time in its 38-year history that the Commission has spoken out on human rights violations in an Eastern European country. It demonstrated that Poland was not an East/West issue, but a matter of worldwide concern. The resolution, which was sponsored by European nations, received support from all regions.

Passage of the Polish resolution, as well as adoption of resolutions condemning foreign intervention in Afghanistan and Kampuchea, and the flagrant violation of the human rights of the Khmer people, reflect a movement, albeit slow, toward honest assessment of human rights violations throughout the world. The success of these efforts reflected strong Western cohesion, and a commitment to reaching out to less-developed countries through three difficult procedural resolutions and a final substantive vote.

The agenda for the 38th session of the Commission included a broad range of items, most of which were carry-overs from previous sessions. These included items relating to human rights in the Israeli-occupied Middle East territories, human rights in Chile, El Salvador, Bolivia, and Guatemala, human rights in South Africa, and a general item relating to the realization of "economic human rights" and a "right to development".

The United States Government continues to be troubled by the Commission's treatment of the right to development issue, which the United States is not prepared to recognize as a basic human right, questions dealing with apartheid, and the Middle East.

In general, the Commission remained critical of human rights conditions in Latin America, criticizing Chile, Guatemala, and Bolivia in the public sessions, in addition to the resolution on El Salvador.

Within days of passage of the resolution on El Salvador, which the United States considered was intended to undermine the electoral process in that country, Venezuela called for a special session of the Organization of American States (OAS) Permanent Council to complain about UN interference in a regional matter. The United States Government hopes that this move is a precursor of greater willingness by regional bodies, such as the OAS, to undertake responsibility for significant issues which now primarily confront the United Nations.

Many of these problems appeared during the 37th session of the United Nations General Assembly: a double standard which focuses solely on certain countries, and a partisan treatment of human rights questions.

The General Assembly's Third Committee (Social and Humanitarian Affairs) voted on issues regarding, among others, racial discrimination, human rights in El Salvador, Chile, and Guatemala, Middle East issues, human rights and mass exoduses, and self-determination. United States efforts served primarily to limit damage and to provide a forum for articulating the beliefs of the Administration, including emphasis on the hypocrisy of current double standards, discrimination against Latin America countries, and general indifference to violations by the Soviet Union and its Communist allies.

United States efforts in the coming year in international and regional bodies will focus on a heightened international consciousness of human rights concerns in which there is implicit recognition of equity and consistency as underlying themes.

The Madrid follow-up meeting of the Conference on Security and Cooperation in Europe (CSCE) -- the 35 states that signed the 1975 Helsinki Final Act -- was scheduled to resume in early February 1983 after a six-week holiday recess. The Madrid meeting has been in session (with periodic breaks) since November 1980, longer than the original meeting which produced the Helsinki Final Act.

The principal obstacle to progress has been the continuing pattern of Eastern violations of the human rights provisions of the Final Act. After the increase in repression in Poland in 1981, the Western allies broke off all negotiation of the new CSCE document until November 1982. When the meeting reconvened, the United States joined in sponsoring a Western package of proposals centering on trade union rights, religious freedoms, jamming of radio broadcasts, activities of Helsinki monitoring groups, and an experts' meeting on human contacts and family reunification. The Soviet Union and its allies have attempted to deflect attention from human rights issues, concentrating instead on the security aspects of the Helsinki Final Act. The United States has repeatedly emphasized that the further development of the CSCE process must be balanced between progress on human rights issues and security interests.

In 1982, the European Commission on Human Rights and the European Court of Human Rights continued to hear and decide on cases involving violations of human rights in the 21 countries which are members of the Council of Europe. The Commission registered more than 400 individual cases for examination during the year. Spain and France joined the list of more than a dozen member countries which permit their citizens to appeal directly to the Commission when they believe their basic rights have been infringed. Council of Europe member states regard European Court of Human Rights judgements as binding and generally seek to make amends in accordance with the Court's rulings. While neither the Court nor the Council of Europe is empowered to enforce the Court's rulings, member countries' voluntary acceptance of its findings demonstrates that the Court exerts a positive influence on human rights issues in Europe.

The Inter-American Commission on Human Rights (IAHRC) was established in 1960 to promote the observance and protection of human rights and to serve as a consultative organ for the OAS. The Commission considers individual complaints and conducts on-site examinations of alleged human rights violations. It approves definitive reports on the human rights situation in various Latin American countries and prepares an annual report for presentation to the OAS General Assembly.

The Organization of African Unity Assembly of Heads State and Government approved an African Charter of Human and People's Rights at a meeting in Nairobi in June, 1981. The Charter will come into force upon ratification by a simple majority of the member states. By the end of 1982, 16 states had signed the Charter and six of those had formally deposited the instruments of ratification.

The legitimacy of human rights as an issue for public discussion gained wider acceptance in Africa in 1982. In late October the Government of Togo, jointly with the Paris-based Young African Lawyers Association and UNESCO organized a five-day human rights conference in Lome. The focus of concern was human rights in the context of the traditional African values of community, harmony, and solidarity. The sessions were devoted to discussion of the rights of women and the aged, cultural rights of minorities, and human rights and the push for economic development. During his 1982 trip to Africa, Vice President Bush engaged in discussions of human rights issues in several countries, including a human rights colloquy on human rights policy in Dakar, Senegal.

Preparing a Human Rights Report

We believe it will be useful to the Congress and to other readers of this report to include here a brief summary of the preparation process, of certain limitations imposed by circumstances upon that process, and of the assumptions we have made regarding the inclusion or treatment of material in the individual country reports.

Legislation requires the submission of the annual report by January 31. To meet this requirement, the Department has found it necessary to begin the annual exercise in late summer. A message is distributed to all United States embassies and to the offices within the Department which are involved in the preparation of the report. This message incorporates guidance concerning the schedule under which the individual country reports are to be drafted by each embassy and submitted to the Department, and detailed instructions on format, drafting style, and coverage. It does not attempt, however, to dictate the actual content of any country report. The original drafts are normally prepared by United States diplomatic posts in the field, unless we have no representation in the country considered.

When received in the Department, the individual country reports are reviewed and revised by the appropriate country "desk", by the geographic bureau concerned, by several bureaus and staffs which have responsibility for specific areas or functions covered in the reports, and by the Bureau of Human Rights and Humanitarian Affairs which has overall responsibility for the preparation of the reports. The completed reports are then sent to the Congress.

The information in the individual reports, and the judgements rendered, are drawn from all sources available to the United States embassy concerned and are supplemented by the information and knowledge available in the various bureaus and staffs which review the reports in the Department. Sources include officials of foreign governments, private citizens, personal observations of US officials, victims of human rights violations, intelligence information, press reports, non-governmental organizations, and human rights bodies of international organizations. Much of the information is already public.

There are various problems associated with preparation of these country reports. The same problems, addressed in different ways, affect other human rights reporting efforts, such as those of Freedom House and Amnesty International. A better understanding of the problems involved in preparing any report about worldwide human rights conditions should be helpful to the Congress and the community concerned about human rights.

Problems, Procedures, and Assumptions

To meet the legislative requirement of submission of the report by January 31, the reports must be initially drafted in the preceding October and November, with the review process extending into January. It is possible that developments in the latter part of the year under review may not be reflected; every effort is made, however, to include reference to major events or significant changes in trends which occur up to, or even beyond, the end of the year.

In preparing this report, we are fully conscious of the information gathered and reported by the human rights bodies of international organizations and by the major non-governmental human rights organizations. Two of the major reports, however, those of Amnesty International and Freedom House, were not available until late in 1982 when much of our work had been, perforce, completed. In addition, Amnesty International's report for 1982 reported only the situation in 1981, and Freedom House drew upon material relating to the period up to mid-1982 only.

The United States Government's report differs in its coverage from reporting by some non-governmental organizations. Thus, whereas Amnesty International intentionally concentrates exclusively on human rights violations by governments, we believe that it is necessary to treat violations such as torture, murder, interference with a free press, and intimidation of the judiciary whether they are committed by governments or by opposition movements. This course is particularly essential in a period when many opposition and guerrilla movements maintain to a greater or lesser degree a state apparatus (e.g., control and administration of territory, flags, organized military units.)

Amnesty International also omits almost all discussion of the status of civil and political rights from its annual reports, in order to avoid political entanglement, and to concentrate upon violations against individuals, while we regard political rights as fundamental and endeavor to discuss them in detail. Many private human rights organizations consider the use of capital punishment a human rights violation per se. Neither the United States Government nor the United States Supreme Court takes the position that the death penalty, imposed after due process in a legitimate judicial system, constitutes a violation of internationally recognized human rights or that it constitutes cruel and unusual punishment.

Although efforts have been made to ensure the comprehensiveness of this report, certain problems appear to be inherent in any efforts to prepare a report on international human rights conditions. Some have to do with our lack of knowledge or access, some are conceptual, some reflect trends in world public opinion, and some arise from the mechanics of the reporting process itself. While attempts have been made to resolve these problems, they have not always succeeded.

The Problem of Consistency

The problem of consistency is one which necessarily affects every effort to report on world human rights conditions. While we do not attempt to make explicit comparisons, the country reports will obviously be seriously misleading if, for want of consistent reporting standards, some countries are implicitly held to a different (either higher or lower) human rights standard than others. Unfortunately, there is literally no one who has the close and detailed information of circumstances in the 162 countries covered in the 1982 submission to comment knowledgeably on all of them. Thus, such a submission would either have to be drafted by a single person who could not be familiar with all countries, or by many hands, as this volume is. Neither approach, unfortunately, resolves the problem of consistency. We recognize, therefore, that inevitable differences in perspective, judgment, and emphasis may appear in the various reports, despite our most determined efforts to avoid these faults.

The Problem of Information

By the nature of the subject, governments which violate human rights rarely admit to such violations, nor do they welcome foreign governmental or non-governmental interest in what they regard as their internal affairs. It is ironic that our most detailed, careful, and ample reporting is in open societies where access and evaluation are welcome and facilitated by governments whose concern for human rights equals our own, while we may have virtually no access to many closed societies where some of the very worst human rights violations occur. Thus the quality of the reports differs markedly in terms of the evidence presented. In some cases we have been able to draw upon evidence sufficient to meet highly critical standards, while in others we must rely heavily on the evaluation of very limited information.

The problem of uneven access to information has also proved troublesome in another respect. Because we often do not have very much information about human rights abuses in closed societies, these societies may appear to have a better human rights record than more open societies, where greater knowledge of abuses is available. Indeed, the paradox seems to emerge that while closed societies have a structural tendency to be the worst abusers of human rights, they also may receive less criticism than some relatively open societies simply because we know so much less about them. By attempting, on the one hand, to elicit as much information about closed societies as possible, and by underscoring, on the other hand, the limited nature of the information we possess, this report has tried to overcome the "built-in" bias in favor of closed societies.

Related to the problem of lack of access to closed societies is our lack of knowledge about traditional societies, i.e., societies which, either in whole or in part, have not undergone the effects of the scientific and industrial revolutions. In such societies, traditional institutions and structures often have a very important human rights impact, yet their workings often are not fully understood by observers standing outside of the culture. We tend, therefore, to focus on the effectiveness of such modern, Western institutions as trial by jury, habeas corpus, a free press, parliaments, and elections and to ignore non-Western, traditional institutions. The reader of these reports will note that they are more informative about legal systems of the Western type than about the administration of Islamic law, and more informative about Islamic legal systems than tribal and customary legal systems. Moreover, even if we knew far more about the inner workings of traditional societies, we would still be faced with a major conceptual difficulty: how to evaluate the positive and negative consequences of indigenous conceptions of decency, such as the Sharia, which developed independently of the Enlightenment human rights tradition. In specific cases, it is not easy to decide whether adherence to such an indigenous tradition is a violation of human rights or an affirmation of them.

Preparing A Comprehensive Report

Other problems in compiling a comprehensive human rights report derive from the fact that the drafters cannot work in complete isolation from world public opinion on human rights. World attention to human rights violations is limited, and necessarily focuses on a few cases. Also, because human rights is used as a political weapon, public concerns about human rights violations can assume a somewhat arbitrary character, focusing on relatively minor human rights violators while ignoring others that are equally bad or worse. Moreover, while the human rights situation in a given country can change drastically, either for good or for ill, during a comparatively short period of time, world public opinion responds much more slowly to changes in the human rights environment. Once a nation acquires a human rights profile, as it were, whether favorable or unfavorable, that profile tends to remain with it regardless of the objective human rights situation. At times, the position a country enjoys in world public opinion can influence the perceptions of the human rights reporter. The only way to deal with these problems is to try to adhere to rigorous standards in each of the country reports.

Unfortunately, it has become evident that many readers have assumed that the length of a report is in itself a judgment upon the seriousness of the human rights situation in a country. This assumption is completely unwarranted. The length of a country report is influenced by a number of factors, including the availability of information, the openness of the society under scrutiny, the degree of development of the information media, the size of the country, the degree of international and United States interest in a country situation and, not least, the energy and skill of a particular reporting officer.

It appears that academic research based upon the annual report has begun, with some scholars attempting to draw statistical comparisons of practices between countries, etc. While we are pleased to note this interest and its promise for further understanding of the elements of human rights practices in the world, we caution researchers that the reports are not prepared with this purpose in mind, and that the data are not fully standardized.

The legislation requires reports on all countries which receive aid from the United States, and all countries which are members of the United Nations. In the belief that the information would still be useful to the Congress and to other readers, we have determined to include countries which are not technically included in the Congressional requirement, such as Switzerland. On the other hand, we have omitted several very small or very new states for which we have virtually no data, such as Kiribati. We have also attempted to provide enough background information in each report to place the human rights situation in context, under the assumption that those who need to delve more deeply will consult other sources.

EXPLANATION OF STATISTICAL TABLES

This report contains tables listing the amounts of U.S. bilateral assistance and multilateral development assistance provided for the fiscal years 1980, 1981, and 1982. The tables appear at the end of the description of human rights conditions for each country which received such assistance during those years. In general, loans are reported as of the fiscal year of authorization and grants are reported for the fiscal year of obligation. Food for Peace commodities financed by grants under Title II of P. L. 480 are reported by dollar amount shipped during the fiscal year.

Data for A.I.D. for 1982 loans and grants are as indicated in the FY 1984 Congressional Presentation. All other data are as presented in "U.S. Overseas Loans and Grants and Assistance from International Organizations" (The Green Book).

U.S. bilateral assistance figures are broken down by two basic categories.

I) Economic Assistance

II) Military Assistance

For each category, the overall amounts are further broken down in two ways: first, to indicate the amount of aid provided in the form of loans and grants; and second, to indicate the amount provided under various programs (e.g., AID, Food for Peace, etc.).

In addition, the tables list the amount of loans (not generally considered "assistance") made by other U.S. government sources, such as the Export-Import Bank, and the amounts committed by international agencies, such as multilateral financial institutions and United Nations agencies.

The 1982 statistics do not include UNDP figures, which were unavailable at the time of printing.

Key Abbreviations

1) U.S. Economic Assistance

Sec. Supp. Assist.

Security Supporting Assistance (also known as Economic Support Fund)

Repay. In $-Loans

Assistance in the form of loans repayable in U.S. dollars

Pay. In. For. Curr.

Assistance in the form of loans repayable in foreign currencies

E. Relief. Ec. Dec. & WFP

Economic Relief, Economic Development, and World Food Program

Vol. Relief Agency

Assistance channeled through voluntary relief agencies

Contr. to IFI

Contributions to international financial institutions

2) U.S. Military Assistance

MAP Grants

Grants provided under the Military Assistance Program

Credit Sales - FMS

Credits provided under the Foreign Military Sales Program

Intl Mil. Ed. Trng

Grant aid provided under the International Military Education and Training (IMET) Program

Tran-Excess Stock

Equipment provided as Excess Defense Articles

3) International Agencies

IBRD

International Bank for Reconstruction and Development (World Bank)

IFC

International Finance Corporation

IDA

International Development Association

IDB

Inter-American Development Bank

ADB

Asian Development Bank

AFDB

African Development Bank

UNDP

United Nations Development Program

Other UN

Other United Nations Program

EEC

European Economic Community

N.B. Assistance totalling less than $50,000 in any one category is not shown in the tables.

AFRICA

ANGOLA*

The People's Republic of Angola is an autocratic party state ruled by a small group of officials within a single political party, the Marxist Popular Movement for the Liberation of Angola - Labor Party (MPLA). All major policy decisions are determined within the party structure. During 1982 the human rights situation in Angola was affected by continuing armed hostilities between the military arm of the Popular Movement for the Liberation of Angola and the opposition National Union for the Total Independence of Angola (UNITA). Intensified fighting between MPLA and UNITA forces during 1982 led to marked deterioration in the quality of life, and extensive loss of life. Arrests of UNITA sympathizers were more publicized than previously, but there was no indication that the number of arrests or the Government's handling of human rights changed significantly from 1981.

When the Portuguese granted independence to Angola on November 11, 1975, the three major liberation groups which had fought Portuguese rule were engaged in a bloody civil war, marked by the intervention of both Cuban and South African forces. With Cuban and Soviet assistance the Marxist MPLA succeeded by early 1976 in ousting the two rival movements from Luanda, the capital, and from power. Both rival groups, the National Front for the Liberation of Angola (FNLA) and UNITA, reverted to guerrilla warfare which has continued ever since. The FNLA carries out sporadic guerrilla operations in northern Angola but does not pose a major threat to the Luanda Government. UNITA, however, has the allegiance of a substantial portion of the Ovimbundu tribe (approximately 35-40 per cent of the country's population) and continues to pose a serious challenge to the Government's control of large areas of the southern, eastern, and central portions of the country.

Since taking power in 1975 by force of arms, the MPLA has refused reconciliation with and a role in the Government to UNITA, which has stated that it is willing to discuss a political settlement. The MPLA has established an autocratic one-party state with concomitant restrictions on freedom of expression and suppression of political opposition.

The fighting in Angola has resulted in extensive civilian casualties. An estimated 20,000 to 25,000 Cuban combat forces support the Angolan armed forces in their operations against UNITA and are stationed at strategic locations in central and southern Angola. UNITA conducts guerrilla operations throughout most of central, southern, and eastern Angola, and UNITA controls a section of southeastern Angola. UNITA's operations and Angolan/Cuban counterinsurgency operations have resulted in numerous civilian deaths. In addition to ideological differences, the MPLA and UNITA have different ethnic bases. The MPLA and UNITA compete for the allegiance of civilian populations through persuasion and intimidation, and have accused one another of atrocities against civilian populations. Innocent civilians are also caught in the middle of hostilities between the Southwest Africa People's Organization (SWAPO - a Namibian resistance movement with bases in Angola) and South Africa. SWAPO, which the MPLA allows to operate in Angola, carries out cross-border guerrilla operations from Angola against targets in Namibia, and South African forces regularly conduct military operations military operations against SWAPO bases in southern Angola. The MPLA and others have from time to time alleged that South African forces have committed atrocities against innocent civilians in Angola. However, these allegations have not been corroborated, and indications are that the South Africans have aimed their operations against military targets.

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* There is little reliable information on human rights practices in Angola. The United States does not maintain diplomatic relations with the People's Republic of Angola, and thus has no diplomatic personnel on the spot to monitor human rights conditions or to evaluate allegations of abuses.

The continuing civil war and a prolonged drought have resulted in large numbers of displaced persons in central and southern Angola and have severely disrupted the economy. The declining prices of oil and diamonds, the two principal sources of Angola's revenue, and decline in food production as a result of the civil war have exacerbated this serious economic situation. Moreover, the continuing civil war has forced the Government to devote a substantial portion of its financial resources to the military. The MPLA has made an effort to provide humanitarian assistance to the displaced persons and has allowed the International Committee of the Red Cross to operate in Angola. However, these efforts to ameliorate human suffering have been severely limited by the continuing hostilities. Malnutrition is widespread, and the quality of life continues to deteriorate.

1. Respect for the Integrity of the Person, Including Freedom from:

   a. Killing

The continuing civil war in Angola resulted in a number of allegations that MPLA, UNITA, and South African forces have killed civilians.

While some civilian casualties have probably resulted from South African operations against SWAPO in southern Angola, available information indicates that during 1982 South African forces directed their operations against military targets and not against civilians.

Hundreds of civilian deaths during 1982 resulted from the civil war between UNITA and the Cuban-supported MPLA. The fighting is widespread, but there are no reliable casualty figures available. There have been a number of unsubstantiated reports of specific incidents of indiscriminate killing by both sides. There have also been unconfirmed reports that UNITA practices urban terrorism in MPLA-controlled areas. In October the MPLA publicly charged that UNITA killed hundreds of civilians in the Huambo area of central Angola. Similarly, UNITA has charged that the MPLA has killed civilians sympathetic to UNITA. The MPLA has at times reportedly executed UNITA prisoners -- both with and without trial--and UNITA has reportedly retaliated by executing MPLA prisoners. It should be stressed, however, that no firm evidence exists to substantiate any of these claims and counterclaims. In April 1982 the Angolan state radio announced that the People's Revolutionary Tribunal (established by the MPLA in 1976 to try prisoners accused of endangering the security of the state or of economic sabotoge) sentenced five suspected UNITA prisoners to death for "undermining the internal security." In October, MPLA authorities reportedly executed six alleged supporters of the Front for the Liberation of the Enclave of Cabinda (FLEC), a separatist movement which is waging a guerrilla war in the Cabinda enclave. UNITA has charged that Cuban and Angolan forces have used napalm and other weapons against civilians in the UNITA-controlled areas of southeastern Angola. These charges have not been verified.

b. Disappearance

There is no information to indicate that abductions, secret arrests, or clandestine detentions are practiced by the MPLA security agencies.

The Government has, however, not cooperated in US Government efforts to locate an American pilot who disappeared in September 1980 while flying over Angola.

c. Torture

Although the Constitution charges the state with responsibility to guarantee the integrity of the person, allegations of torture in Angolan prisons have been made in the past. Information is insufficient to determine the extent to which torture is practiced by the police or security services. Americans who have at times been imprisoned in Angola have not been physically tortured or abused during their imprisonment.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The prisons are overcrowded, with substandard diet and sanitation, but these conditions seem to reflect the poor state of the economy more than deliberate maltreatment. Some reports have alleged that foreigners are not treated well, but Americans who have been imprisoned in Angola have been well-treated, and had access to available medical care. During 1982 US diplomats were on several occasions allowed to visit three Americans held by the Angolan authorities prior to their release on November 17 as part of a Red Cross-sponsored prisoner exchange, but the authorities had not permitted such visits prior to 1982. No family visits were permitted.

Prison authorities reportedly have wide latitude in the treatment of prisoners, with rules governing the treatment of prisoners either lax or non-existent. Americans who have been imprisoned in Angola at various times, both at the main Sao Paulo prison in Luanda and the Ministry of State Security prison in Luanda, have reported arbitrary treatment of prisoners by guards through solitary confinement, confiscation of personal effects, physical intimidation, and prolonged interrogation. Foreign advisers, including Cubans and East Germans, are reportedly involved in helping the MPLA security services, and may be involved in helping to run some prisons.

e. Arbitrary Arrest and Imprisonment

Two of the most persistently and frequently reported charges of human rights violations in Angola have been arbitrary arrest and imprisonment without due process. Numerous reports allege that individuals are arrested and imprisoned on suspicion or denunciation by others and, in some cases, held for years without being notified of the charges, if any, against them. According to Amnesty International on its 1982 Report, this is true of most people arrested for political reasons.

One American citizen who was released in 1980 had been held for nearly three years without being charged or tried. An American pilot who made an emergency landing in Angola in 1980 was held for six months while authorities investigated his case. Yet another American pilot who made an emergency landing in Angola in early 1981 was arrested and held without being charged until he was released as part of a Red Cross-sponsored exchange on November 17, 1982. It is not known how many persons have been arbitrarily arrested and held without trial.

The Ministry of State Security, military security forces, and police have independent powers of arrest and detention without charge or trial. While some alleged supporters of opposition groups were tried before the People's Revolutionary Tribunal, many were arrested for political reasons and held without being charged or tried. Lines of authority governing who is empowered to arrest and detain persons are unclear. For example, the People's Revolutionary Tribunal has a detention review commission, but it is not known how that commission operates, and uncharged detainees are not necessarily allowed to appeal to this commission. Part of the difficulty in identifying the extent of arbitrary arrest is that political prisoners are imprisoned at the main prisons in Luanda with criminal offenders as well as in special detention camps. Amnesty International has reported on a number of specific cases.

UNITA also reportedly holds a number of prisoners, including MPLA soldiers as well as foreigners captured as a result of UNITA operations. In September UNITA released a Red Cross nurse who had been held since May. She publicly stated that she was well-treated. Other prisoners, including two Soviets, a number of Portuguese, and the Roman Catholic Archbishop of Lubango were released by UNITA during 1982.

f. Denial of Fair Public Trial

The right of the accused to legal counsel and defense is guaranteed in the Constitution, but there is insufficient information to assess adequately the observance of this right or whether accused persons are given fair trials. Two Americans alleged to be mercenaries were given public trials in 1976 and were allowed access to attorneys. The right of appeal exists in some cases, but it is unclear whether this provides a practical safeguard for the accused. A fair public trial is denied to those arbitrarily detained without being charged.

g. Invasion of the Home

Inviolability of the domicile and confidentiality of correspondence are guaranteed in the Constitution, but it is not known to what extent these rights are respected in practice.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Constitution guarantees freedom of expression, conscience, and belief but significantly restrains the exercise of these freedoms by requirements that activities must fall within "the area of realizing the fundamental objectives of the People's Republic of Angola," that they must be "in the national interest," or that they "conform to public order."

Censorship of political expression exists, and the Government runs the media. Although opposition views are not aired, the press frequently contains articles criticizing government failings in economic areas. The Government is especially sensitive to criticism in the foreign press, and has occasionally expelled foreign correspondents for writing articles critical of its policies, or describing activities of opposition movements.

Entry of foreign correspondents into Angola is tightly restricted as is the circulation of Western journals and periodicals.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly is denied to any political movement other than the MPLA, and all other political movements have been banned. There are numerous unconfirmed reports of arrests of people who voice support of opposition movements or alternative political systems.

The only trade union movement in Angola is the government-controlled National Union of Angolan Workers (UNTA). Traditional labor union activities and rights are tightly restricted by the Government. Strikes are prohibited by law as a crime against the security of the state.

c. Freedom of Religion

Although the Constitution guarantees freedom of conscience and belief and provides for separation of church and state, the MPLA has publicly emphasized the importance of propagating "atheism," and has criticized religious activities. Churches have been allowed to continue their religious activities. Church services are regularly held and there is widespread attendance.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

As a result of the continuing civil war, the Angolan Government is acutely security-conscious and has restricted travel. There is a pass system within Angola, and foreigners are generally prohibited from traveling outside the principal cities. Travel abroad is carefully controlled by restrictions on passport issuance and exit visas, and by currency restrictions. Emigration is tightly restricted. The Angolan Government limits travel to Angola through a selective and stringent visa policy.

In August 1981, Angola became a signatory to the UN "Convention Relating to the Status of Refugees." Angola has welcomed refugees from other countries. There are approximately 50,000 Namibian, 18,000 Zairian, and 5,000 South African refugees in Angola. Since mid-1980 between 120,000 and 150,000 former Zairian refugees in Angola returned home with the auspices of the UN High Commissioner for Refugees.

The Angolan Government has not made special efforts to encourage its citizens' return. The right of voluntary repatriation for those who continue to support movements opposed to the MPLA does not exist in practice, and anyone formerly associated with an opposition movement who returned to Angola would face a reasonable fear of persecution. As a result of fear of persecution, approximately 250,000 Angolans have taken refuge in Zaire, and thousands of other Angolans who have settled in Zaire are no longer considered refugees. There are 18,000 Angolan refugees in Zambia and an undetermined number in Portugal. Of the approximately 400,000 Angolans who left the country since independence, the Angolan Government claims that some 180,000 have returned, but this claim cannot be verified.

e. Freedom to Participate in the Political Process

The People's Republic of Angola is ruled by a small group of officials within the single party, the MPLA-Labor Party, which is the only legal political party. The Government has banned all political activities by opposition groups, and denies them access to the state-controlled media.

The Constitution guarantees the exercise of political power to the "masses," through organized forms of "popular power." In effect, this restricts political expression to participation in the MPLA-Labor Party or to one of its controlled and sanctioned organizations such as its youth wing, the Angolan Women's

Organization, or the trade union movement.

The MPLA Government has established political institutions consistent with its ideology, with political power centered in the party's politburo and central committee. A national popularly-"elected" "People's Assembly" was established in 1981. Although the party claims that these steps were taken to increase popular participation in government, political rights do not appear to have been expanded. All real political power is exercised within the party structure through the politburo and central committee at the national level and local party structures at the provincial level. Key figures in the MPLA play leading roles in the People's Assembly. The People's Assembly and the Government Council of Ministers (composed of all government ministers and the President) carry out policy determined by the party. During 1982 the MPLA launched a campaign to increase membership in the party, but participation is still restricted to a small segment of the population.

Angolan citizenship is denied to those individuals with claims to another nationality, who have committed homicide, opposed the "liberation struggle", or joined clandestine organizations opposed to the "decolonization process." Voting rights of those citizens who are known supporters of opposition groups are restricted.

The Constitution guarantees the equality of all citizens and proscribes discrimination because of color, race, ethnicity, sex, birthplace, religion, education, or economic or social conditions. Women participate in the MPLA, not only in the Angolan Women's Organization, but also in the higher levels of the party. Women in the higher party organs, however, have not been numerous. Only three of the MPLA's 65 central committee members are women, while none of the government ministers or vice ministers are female. Social, cultural, and traditional factors tend to limit the participation of women at the highest levels of the party and Government, although women are accorded equal status under the law and party regulations.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Amnesty International has expressed concern about the imprisonment of members of political opposition groups and arbitrary arrest and detention, and has cited a number of specific cases. Amnesty International's annual report for 1982 stated that it appealed to the Angolan Government at various times to commute the death sentences imposed on alleged numbers of opposition groups, but these appeals were apparently unheeded. The International Committee of the Red Cross, which operates a large relief program for displaced persons in Angola, has not been able to obtain the authorization of either the Government or UNITA to visit prisoners, except in isolated instances.

4. Economic, Social, and Cultural Situation

Although Angola is potentially one of the richest countries in Africa, its economy has been severely damaged as a result of the continuing civil war, the decline in the prices of oil and diamonds, its two principal sources of revenue, and by the exodus of skilled manpower. Of the approximately 500,000 Portuguese residents prior to independence, only 30,000 remain. The continuing civil strife and South African incursions against SWAPO have damaged the country's infrastructure and forced the diversion of most assets to the military. The presence of thousands of Cuban combat troops has burdened the economy. Although thousands of civilian Cuban and East European advisors are working in technical and professional positions, the requirements for skilled manpower have not been fully met.

These economic problems have had a disastrous effect on the population. The distribution system for foodstuffs has been disrupted, and deteriorating security in central Angola due to MPLA-UNITA hostilities forced the International Committee of the Red Cross in October 1982 to suspend its extensive food relief and medical programs. The over 200,000-500,000 persons in central and southern Angola, who have been displaced from their homes as a result of the combination of civil strife and a prolonged drought, are suffering from severe malnutrition. Many rural inhabitants have abandoned the countryside to seek food and safety in urban areas. As a result of this rural exodus, crops are not being planted. UNITA's guerrilla activities in central and southeast Angola have also disrupted agricultural production. Major urban centers such as Luanda have been overwhelmed by the influx from rural areas. There are severe food shortages in the urban areas, and public services are severely taxed. As a result, the health of the Angolan population as a whole has deteriorated.

While the Government is not indifferent to the plight of these displaced persons, it does not have the capability to respond. At the Government's request, the United Nations Disaster Relief Organizations (UNDRO) in 1981 evaluated relief needs and reported that assistance in the form of food, and supplies such as medicines, blankets, and tents, is required for over half a million persons. During 1982 the MPLA made a major effort to obtain food assistance from Western countries and various international organizations. A number of Western countries provide economic and technical assistance.

The United States has for the past several years provided humanitarian food assistance under the Food for Peace program through shipments of grain under the auspices of UNICEF and the World Food Program.

Although the Constitution states that it is the duty of the state to provide conditions for social development, work, health care, and education, continuing internal hostilities and the exodus of trained personnel have severely hampered the Government's efforts to provide basic economic and human needs to Angolans. For example, although physicians from several countries are serving in Angola under assistance programs, the number is insufficient to supply minimum health care to more than a small fraction of the total population. Available data highlights the poor quality of life. The population growth rate is 2.4 percent with high infant mortality of 154.4/1000, and life expectancy at birth is only 42 years.

The Government has been concentrating efforts on improving the educational system. There is 82 percent enrollment in primary school. The Government has had some success in expanding its basic literacy program, but the current literacy rate is estimated at only 30 percent.

A thriving and expensive black market is known to exist. Despite government controls on prices, the severe scarcity of nearly all goods has caused the inflation rate to skyrocket.

The MPLA has established as its goal the transformation of Angola into a "socialist" economy and the major sectors of the economy, oil, diamonds, and banking, have been nationalized. The right to private property is, however, guaranteed by the Constitution, and a small portion of the economy, mainly in the agricultural sector, still operates under private ownership.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: ANGOLA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	6.2	3.8	2.3
LOANS..............	0.0	0.0	0.0
GRANTS.............	6.2	3.8	2.3
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	6.2	3.8	2.3
LOANS..............	0.0	0.0	0.0
GRANTS.............	6.2	3.8	2.3
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS......	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	6.2	3.8	2.3
E.RELIEF.EC.DEV & WFP.	6.2	3.8	2.3
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS.........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	6.2	3.8	2.3
LOANS..............	0.0	0.0	0.0
GRANTS.............	6.2	3.8	2.3
OTHER US LOANS..........	65.0	2.8	0.0
EX-IM BANK LOANS.......	65.0	2.8	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.9	6.6	0.0	21.9
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.9	3.5	0.0	12.8
OTHER-UN	0.0	3.1	0.0	9.1
EEC	0.0	0.0	0.0	0.0

BENIN

Benin went through numerous leadership changes from independence in 1960 until the assumption of power by the present leadership in 1972. Declaring itself Marxist-Leninist and revolutionary in 1974-75, the Government is very much under the control of its President, Mathieu Kerekou, and the sole political party, the Peoples' Revolutionary Party of Benin. The party remains highly centralized. Although rights are guaranteed on paper, the Government's desire for absolute control has translated into only limited tolerance for dissent. A failed mercenary attack in 1977 created a suspicion of foreign intervention which continues to this day. While there is evidence the Government is attempting to moderate its policies, it remains to be seen whether these attempts will modify its basically repressive posture on domestic human rights.

In a relatively closed political system such as Benin's, data on human rights violations are difficult to obtain. Beninese often act with some caution in exercising their civil rights. Political rights must be exercised within the confines of the existing system.

Some changes are reportedly occurring in Benin's human rights situation, but these are difficult to confirm officially. The figure 200 is generally accepted as the number of political prisoners in country, but rumors regarding the release of some these, particularly students, either to full freedom or to confinement at home, may indicate that number has declined slightly during the past year. Benin still holds a number of political prisoners, however, and releases under a government amnesty, rumored to be planned for the November 30, 1982 National Day, did not take place.

Benin ranks among the world's poorest countries. At a relatively low level of economic development, Benin's population lives for the most part on agricultural earnings and small trade. Although the present Government has created a number of wholly or partially state-owned corporations, their contribution to the economy is generally minor, and small-scale private agriculture and trade remain the means of livelihood for the great mass of the population.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

As far as can be determined, there has been no killing for political or related motives during the past year in Benin.

b. Disappearances

There were no reports of disappearances or secret arrests in 1982, and it is unlikely any such incidents occurred.

c. Torture

Torture is not specifically prohibited by Beninese law. Although there were no official reports of torture in the country in 1982, Amnesty International's 1982 report reviewing 1981 events cites mistreatment of detainees.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Physical punishment of prisoners undoubtedly occurs in Benin, and prison conditions are poor, with inadequate sanitary conditions and severe space constraints. There is no reported discrimination in the treatment of prisoners by sex, religion, or national origin. Amnesty International in its 1982 report included inhuman prison conditions among its human rights concerns in Benin.

e. Arbitrary Arrest and Imprisonment

There is nothing in the legal system which guarantees habeas corpus or which bars arbitrary arrest. Arrests can be for as long or as short a period as authorities determine. Arbitrary arrest and preventive detention generally occur only in periods of high political tension, and there have been no reports of such incidents in 1982. Some political prisoners have been imprisoned for seven or more years. At least some of the students arrested in 1979 remain in prison, but many have reportedly been released. There were instances in the past year where students who demonstrated against authority were arrested, but they were apparently released soon thereafter.

f. Denial of Fair Public Trial

The judiciary does not operate as an independent branch of the Government. Depending upon the sensitivity of the case, defendants may or may not be permitted legal counsel. There is no time limit on charging a defendant or on bringing a person to trial. In recent years, the Government has used only the established civilian revolutionary court system. Courts are organized on provincial and national levels, and they are planned for the district level when sufficient judges have been trained. The highest court of appeal is the Central Peoples' Court.

g. Invasion of the Home

Despite constitutional provisions safeguarding the inviolability of the home, forced entry is occasionally rumored to take place, particularly in sensitive political cases. Beninese law provides, however, that a warrant must be obtained from a judge before police can enter a residence. There are no known instances of other types of violation of the home by the Government of Benin.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Benin's Marxist-Leninist leadership suppresses individual freedoms of speech and press in the interest of the party-state. Opposition to government policies and criticism of the Government are not tolerated.

The local press is government owned and operated, but there is no censorship of foreign books and artistic works. Academic freedom on non-political issues is permitted. There are no independent media in Benin, except for a Catholic Church newsletter. No media have been closed recently; those which operated privately prior to 1972 closed thereafter or were taken over by the state.

b. Freedom of Peaceful Assembly and Association

With the exception of political gatherings, public meetings are allowed. Political meetings must be sponsored by the single party. Labor unions are unified under a general organizational umbrella and are organs of the party and Government. Although controlled by the Government, individual local unions negotiate with individual employers and represent their fellow workers' grievances, so that the Government may in reality often have to play the role of arbiter. There is no known persecution of professional groups in Benin. Both unions and professional groups maintain international affiliations.

c. Freedom of Religion

There is no officially favored religion in Benin. The open practice of religion is permitted, except for one syncretistic group, Celestial Christanity, which has been banned by the Government. There are no other restrictions on religious ceremonies or teachings. Religious conversion is freely permitted. Except for the Celestial Christianity group, there is no religious discrimination. Adherence to a particular faith confers no particular status or benefits. Christianity, Islam, and traditional religion all co-exist in Benin.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Domestic movement is not restricted. International movement is controlled to the degree that a passport and exit permission must be obtained for travel to other than West African countries, but obtaining them presents no unusual problems. Economic rather than governmental concerns usually preclude travel outside the region. There are no restrictions placed on residence within Benin, except for recently-released prisoners who may be subject to travel restrictions. Emigration is a way of life; many Beninese go to neighboring countries to earn their livelihood. Citizenship is not revoked. Beninese abroad are encouraged to return home to help develop their country, although only a small number have returned. The few refugees in Benin appear to have no problems in staying in the country.

e. Freedom to Participate in the Political Process

With the Action Plan of 1972, the Marxist-Leninist Option of 1974, the proclamation of the Peoples' Republic of Benin in 1975, and the Constitution of 1979, the Government attempted to restructure the political system, and the Beninese economy, along the lines of East European models. The single party plays a role similar in theory to that of the Soviet and other ruling Communist parties. Despite considerable progress in building up the party's role, placing civilians in the Government, and creating various revolutionary institutions, the military remains the primary power base of the Kerekou regime.

All political activity occurs within the context of the one-party system, and there is little real political choice. On the local level, mass rallies select candidates who make up the party slate. No opposition to this slate is permitted. The party controls the entire electoral process and even local party-endorsed officials are under the authority of government-appointed district officers. Opposition groups are not allowed. Women are represented in the Government and in the party structure.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government considers any attempt to investigate human rights practices an interference in its internal affairs. Amnesty International has appealed to the Government for the release of various persons detained without charge or trial. In one 1981 case, Amnesty reported that the Government informed the organization that a prisoner had been detained "in conformity with the laws and regulations in force..." "but offered no further information concerning the reason for detention." The Government makes occasional strong statements about human rights in other areas of the world, e.g., the Middle East. There are no organizations in Benin which attempt to protect individual liberties. Freedom House in 1982 called Benin "not free".

4. Economic, Social, and Cultural Situation

The Government has tried since assuming power in 1972 to distribute the country's wealth more equitably and to promote economic development, particularly in the poorer rural areas. There is a working system of old age benefits and free medical care.

The population numbers an estimated 3,683,000 persons, growing at a rate of three percent per year. Unadjusted per capita GNP reached $304.6 in 1980, but inflation has accounted for much of the GNP increase in recent years. Benin still ranks as one of the world's 25 poorest countries. Life expectancy at birth is 47 years, and the infant mortality rate is 154.4 per 1,000 live births. The adult literacy rate was last estimated at 11 percent, but the country has an active literacy program in operation. Twenty-one percent of the population has access to safe water, and there are a number of well-drilling programs (combined with sanitation education) underway which may raise this figure in coming years. Primary school enrollment increased from 34.28 percent in 1972 to 50.98 percent in 1982. Education consumes one-third of the national budget. On the average, the population receives 98 percent of the daily nutritional requirements. Sixty-five percent of the rural population lives below the poverty level.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: BENIN (DAHOMEY)

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	3.7	7.5	2.3
LOANS...............	0.0	0.0	0.0
GRANTS..............	3.7	7.5	2.3
A.AID	2.6	4.7	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	2.6	4.7	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.9	1.8	1.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.9	1.8	1.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.9	1.8	1.0
E.RELIEF.EC.DEV & WFP.	0.8	1.1	0.5
VOL.RELIEF AGENCY.....	0.1	0.7	0.5
C.OTHER ECON. ASSIST...	0.2	1.0	1.3
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.2	1.0	1.3
PEACE CORPS......	0.2	1.0	1.3
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	3.7	7.5	2.3
LOANS...............	0.0	0.0	0.0
GRANTS..............	3.7	7.5	2.3
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	12.5	11.4	22.8	257.8
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	10.0	0.0	0.0	84.3
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	9.7	22.8	74.3
UNDP	0.6	1.7	0.0	22.1
OTHER-UN	1.9	0.0	0.0	6.3
EEC	0.0	0.0	0.0	70.8

BOTSWANA

Botswana is a multi-party parliamentary democracy based on constitutionally guaranteed universal suffrage. Botswana has maintained the fundamental principles of the rule of law, political democracy, and independence. The Constitution of Botswana, which came into effect in 1965 when Botswana was still the British-administered Bechuanaland Protectorate, contains what is in effect a bill of rights and freedoms of the individual. These constitutional rights are upheld in the courts. Botswana permits political dissent; competition among the five active political parties results in lively discussion of political issues. Civil and military officers in Botswana are accountable to an independent judiciary for misconduct in office. Legislation protecting the rights of minorities is generally enforced. Botswana accepts refugees and currently provides for the social welfare needs and security of more than 1,200 refugees from neighboring countries. Botswana continues to make significant progress in addressing the economic and social needs of its people despite declining world prices for key exports and a drought emergency which have adversely affected the economy.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no known cases or allegations of killings by either official government or opposition political groups. One incident of attempted murder, a bombing of a house inhabited by Namibian refugees, is widely believed to have been the work of agents hired by the South African Government.

b. Disappearance

The Botswana Constitution provides for the protection of personal liberty. There have been no allegations of secret arrests or clandestine detentions in Botswana.

c. Torture

Torture is prohibited by the Constitution, and there have been no allegations of torture in Botswana.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Such treatment is prohibited by law, is contrary to public policy, and is rare in practice. The Attorney General's office investigates reported cases of police brutality. All such claims investigated to date have proved unfounded. There have been no summary executions in Botswana. Prison conditions allow for adequate diet and health care and visits from family members. Jails can, however, be crowded and inmates who have no relatives to see to their needs may encounter difficulty in arranging for maintenance. Flogging is permitted for infractions of prison rules. It is also used by traditional tribal courts, whose jurisdiction is limited to minor offenses. A bill which may become law in 1982 provides for compulsory corporal punishment for persons (male or female) convicted of rape, attempted rape, causing grievous bodily harm, armed robbery, burglary, house breaking, and other related offenses. Corporal punishment is also administered occasionally in the schools for serious cases of disobedience.

e. Arbitrary Arrest and Imprisonment

The Botswana Constitution contains provisions protecting Botswana citizens from arbitrary arrest. There are no political prisoners in Botswana and preventive detention is illegal. Habeas corpus exists in practice, with a requirement that the police bring a suspect before a magistrate for charging within 48 hours of his arrest. All suspects must be released at that time unless the magistrate issues a warrant of detention.

f. Denial of Fair Public Trial

The right to a fair public trial is provided by law and is honored in practice. Defendants are entitled to counsel, and consultation between defendants and counsel may be held in private. Defendants must be charged within 48 hours of arrest and all charges must be formally and clearly stated. The judiciary is independent of the executive and military. This separation has been upheld even in controversial and politically sensitive cases. The high court has ruled that the Constitution implies that no one may be compelled to testify against himself. Moreover, silence cannot be construed as guilt, and the burden of proof remains with the prosecution. Most trials are held in public. Provisions exist for conducting closed hearing trials relating to security cases. A recent court case involving an attempt by a South African police officer to bribe a Botswana police investigator in return for information was held behind closed doors. The results of the trial were, however, announced in the government-owned newspaper approximately one week after the trial. A second such trial, resulting in a three year sentence, was not publicized. Accounts by foreign as well as domestic news sources indicate a scrupulous adherence to established procedures and meticulous observance of the rights of defendants.

There are no special courts to deal with security or political offenses. Although the Botswana Defense Force Act provides for military courts, none as yet has been established, and cases over which the military has jurisdiction are referred to the Attorney General and the civilian court system. There are problems in the administration of justice, but they center mainly on the difficulty in recruiting a sufficient number of qualified judicial personnel and court reporters.

g. Invasion of the Home

The sanctity of the home is safeguarded by law and respected in practice. A search warrant issued by a magistrate is required for an official to enter a private residence, except in cases of suspected diamond theft or illegal drug transactions when a senior police officer may search without a warrant. This authority has not apparently been abused, and is believed to be rarely used.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech and the press are guaranteed by the Constitution. Until very recently, the Government had a monopoly over the news media, publishing the only daily newspaper and operating the only radio station. This monopoly resulted from economic, rather than political, constraints. In September 1982 the first commercial newspaper began publishing in Botswana (an event which was welcomed in an editorial in the government-owned press). Prior to this, even though the government owned the press, opposition views were aired, and the activities of the minority parties received extensive coverage. The Government has encouraged the free exchange of ideas and has permitted considerable latitude in the media.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly is a well-established tradition in Botswana society, with roots in the traditional system of representative democracy based on the Kgotla--much like a New England town meeting where citizens gather to question their leaders and voice their opinions on government policies. Large gatherings require local police approval which is routinely given. Demonstrations are permitted so long as order is maintained. Organizers are required to submit a detailed plan for any demonstrations and are held personally responsible for ensuring that the plan is adhered to. Though tensions between the Government and unions are increasing, unions are permitted to organize and operate freely. Strikes are permitted though they rarely occur. The Government has taken steps through the legal process to invalidate a 1981 election of officers by the Botswana Federation of Trade Unions. The court upheld the Government's position, and the Federation was required to repeat its elections. Professional groups have not been subjected to persecution or intimidation. Unions are permitted free association with international organizations.

c. Freedom of Religion

There is no state religion. Open practice of religion is permitted and encouraged. While most residents of Botswana practice one form or another of Christianity, there are active groups of Muslims, Hindus, Bahais, and other religions. Conversions are not a matter of concern to the Government, and religious affiliation is neither an advantage nor disadvantage.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Botswana citizens are subject to virtually no restrictions on emigration or repatriation. Domestic and foreign travel is unrestricted as well. Passports, in general, are easily obtained. Some members of the opposition, however, have experienced difficulty or delay in getting passports. Refugees recognized by the United Nations High Commissioner for Refugees are required to live in a refugee settlement at Dukwe in northern Botswana. The settlement's housing, infrastructure, and other amenities are markedly superior to those which are available in nearby villages (largely due to inputs from donor organizations). Refugees may be authorized to live elsewhere for reasons such as employment or schooling. In cooperation with international agencies the Government provides educational programs, sports and recreational programs, and business opportunities for the refugees at Dukwe. Like other foreigners in Botswana, refugees are not permitted to accept employment opportunities which could be filled by a citizen. While consistent with local policy, this position is not in keeping with United Nations standards on treatment of refugees.

e. Freedom to Participate in the Political Process

The citizens of Botswana enjoy complete freedom to participate in politics by voting, engaging in party activities, and in publicly advocating proposed policies. In the October 1979 parliamentary elections, three opposition parties challenged the ruling Botswana Democratic Party in free and open elections which were decided by secret ballot. While the ruling party contested all 32 constituencies, the Botswana National Front contested 16 (one short of the number constitutionally required to elect a presidential candidate), the Botswana People's Party contested 14, and the small Botswana Independence Party contested only five. Since the opposition parties tend to have different regional bases, no ruling party candidate ran unopposed. The

Government made a strong effort to persuade eligible voters to participate in the electoral process. The ruling Botswana Democratic Party holds 29 seats in the National Assembly; the Botswana National Front holds two; the Botswana People's Party, one. The Botswana Independence Party lost its only seat in the 1979 election.

Women have full political rights in Botswana. In practice, women increasingly participate in political life. There are two women members of parliament, both of whom are ministers. The Executive Secretary of the ruling party is a woman. There is one white member of parliament, who is also a cabinet minister. The Speaker of the National Assembly is also white.

The next elections are scheduled for 1984. In anticipation of these elections two new political parties have been officially formed, bringing the total number of active parties to six. Opposition groups operate publicly and are given coverage in the government-owned daily newspaper as well as on the national radio. The new commercial newspaper has also covered opposition politics. Only the Basarwa, or "Bushmen", remain unrepresented in Government and are generally ignored. These primitive people have been profoundly affected by the recent economic development in Botswana which has turned traditional hunting and gathering areas into cattle grazing land. The Government has, as yet, done little to recognize this problem.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Botswana's record of cooperation with international agencies involved in assisting refugees has been very good. At present, there are no Botswana-based organizations set up to observe, report, or contest human rights violations. The Botswana Government consistently responds promptly and forthrightly to the inquiries it receives from international human rights organizations about the human rights situation in Botswana.

4. Economic, Social, and Cultural Situation

Botswana became independent in 1966 lacking many economic development benefits. It had no hard-surfaced roads and very few schools, particularly above the primary level. Per capita GNP is estimated to have been no more than $69, and 57 percent of the Government's operating budget was financed by foreign aid. Despite these initial handicaps, the Botswana Government has been successful in bringing about economic development and improving the economic and social situation of the people.

The Government of Botswana has been consistent in its efforts to meet the health and nutrition needs of the people. The percentage of the population with access to safe water increased from 29 percent in 1968 to 45 percent in 1975. The increase in access to safe water was greater in urban areas, from 71 percent to 95 percent, due in part to the fact that Botswana's rural population is widely scattered. It is estimated that in 1977, 94 percent of the calorie supply required for Botswana's population was available in the country. The Government's efforts in the health field were reflected in an increase in life expectancy from 41.0 years in 1968 to 49.9 years in 1980. The infant mortality rate in 1980 was 83.3 per 1000 live births, as compared to 97 per 1000 live births in 1975.

Starting from a very weak base, Botswana has attempted to provide educational opportunities for its people as rapidly as possible. The adjusted primary school enrollment ratio increased from 56 percent in 1968 to 89 percent in 1978 and to 93 percent in 1979. The difference in the 1978 ratios for boys (80 percent) and girls (98 percent) is due primarily to the custom of using school-age boys to herd cattle. Botswana is now attempting to implement a policy of universal primary education, and the ratio should, therefore, continue to improve. The adult literacy rate was 35 percent in 1975.

In 1978 per capita GDP was $620. By 1980, this figure had risen to $910, primarily as a result of mining expansion. The disparity between rural and urban income remains a major concern of the Government. Despite the improved income level, much remains to be done to overcome poverty in Botswana. The most recent estimates, which take into account the annual population growth rate of nearly five percent, are that 55 percent of the rural population and 40 percent of the residents of the country's urban areas have incomes below the absolute poverty level. Despite the Government's attempt to redress this imbalance, progress may prove difficult because a substantial number of the country's citizens are only marginally involved in the money economy.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: BOTSWANA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	19.3	17.6	4.5
LOANS..............	0.0	0.0	0.0
GRANTS.............	19.3	17.6	4.5
A.AID	13.0	10.9	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	13.0	10.9	0.0
(SEC.SUPP.ASSIST.)...	13.0	10.9	11.0
B.FOOD FOR PEACE.......	5.1	5.4	3.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	5.1	5.4	3.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	5.1	5.4	3.0
E.RELIEF.EC.DEV & WFP.	5.1	5.4	3.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	1.2	1.3	1.5
LOANS..............	0.0	0.0	0.0
GRANTS.............	1.2	1.3	1.5
PEACE CORPS......	1.2	1.3	1.5
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.1	0.5	0.6
LOANS..............	0.0	0.5	0.5
GRANTS.............	0.1	0.0	0.1
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.5	0.5
C.INTL MIL.ED.TRNG....	0.1	0.0	0.1
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	19.4	18.1	5.1
LOANS..............	0.0	0.5	0.5
GRANTS.............	19.4	17.6	4.6
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	17.9	33.5	27.2	212.8
IBRD	14.4	17.0	20.0	142.7
IFC	0.0	0.0	0.0	0.4
IDA	0.0	0.0	0.0	15.9
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	1.7	9.7	7.2	31.3
UNDP	1.2	0.3	0.0	13.7
OTHER-UN	0.6	0.0	0.0	2.3
EEC	0.0	6.5	0.0	6.5

BURUNDI

Burundi is a one-party state under the leadership of President Jean-Baptiste Bagaza, who came to power in 1976 in a bloodless coup d'etat. The Government proposed a new Constitution in 1981, which was the subject of a popular referendum on November 18 of that year. The new Constitution provides for basic civil rights guarantees, an elected National Assembly, and confirmation (called an election) of the President for a five-year term by universal suffrage. Elections for the National Assembly, the first in 17 years, were held on October 22, 1982, and while the presidential election has not yet been scheduled, it is predicted to take place in 1984 in conjunction with the National Party for Unity and Progress (UPRONA) conference.

Politically, a crucial factor is the country's social structure. While all Burundians speak the same language and have the same culture, the minority Tutsi, traditionally cattle herders, have for centuries dominated the political, social, and economic life of the country. From time to time this domination has led to violence as the majority Hutu, who are traditionally farmers, have tried to increase their power. The most recent and devastating example of this occurred in 1972, during the government-sanctioned massacres, which left over 200,000 Burundians, mostly Hutu, dead or refugees in neighboring countries. The Government was overthrown in 1976, and under President Bagaza the Second Republic has sought to address these problems by giving major emphasis to economic development and to various political reforms designed to win the confidence of the Burundi people as a whole.

Other key problems facing the country are economic. Land-locked Burundi is a poor, densely populated country, with most people living at a subsistence level on tiny farms scattered over the country's hilly terrain. The nation has few natural resources, and the remaining unused arable land and forests are under increasing pressure because of rapid population growth. The literacy rate and general education levels are low. Health care is meager.

Traditionally having a poor but well-managed economy, Burundi has in recent years received increasing amounts of foreign assistance, much of it concentrated in the key agricultural sector. Political reforms have included the abolition of the head tax, the promulgation of a new legal code on the family giving increased rights to women, a substantial reduction in the role of the military in government affairs, and the strengthening of UPRONA, Burundi's sole political party.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no reports or allegations of killings for political motives.

b. Disappearance

There have been no reports or allegations of disappearances.

c. Torture

Several articles of the Burundi penal code deal with the treatment of prisoners. Torture is forbidden by law, and there were no reports of the severe forms of torture in 1982. Beatings occasionally occur during the arrest and questioning of prisoners, particularly those who threaten violence against the police, resist arrest, or are arrested in connection with violent crimes.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Prisons are overcrowded and dirty, although a recent inspection by the International Committee of the Red Cross found the conditions improved from previous years. Prisoners are left to themselves or put to work in a penal labor program. Prisoners arrested for violent crimes such as rape or murder, and those who resist arrest may be ill-treated. The Government claims to discipline police and prison officials guilty of abusing prisoners. There is no independent information to confirm or refute these claims.

e. Arbitrary Arrest and Imprisonment

The state has broad police powers which permit arbitrary arrests and imprisonment, but these powers are used sparingly. Legally, a person may be held for only five days before being charged, but some are detained for longer periods of time. Preventive detention exists but is not common.

f. Denial of Fair Public Trial

Burundian law provides for speedy public trials with counsel. The law specifies that charges must be stated formally within five days of an arrest. The lack of trained legal personnel often causes delays from several weeks to more than a year. By law the judiciary is independent of the executive and the military, but there are indications that occasional manipulation on purely political grounds does occur.

A state security court was established by presidential decree on April 17, 1980, and was provided for in the new Constitution. However, no cases have been brought before the court since its establishment. Should this court ever be used, it would have jurisdiction over both civilian and military personnel who are accused of acts against the state. The mandate of the court allows it jurisdiction over almost any felony case the Government chooses to refer to it. The court would be presided over by the President of the Supreme Court and four counsellors appointed by the President. The counsellors would be nominated by the Minister of Justice. The counsellors would comprise one representative from the judiciary, one from the military, and two public members. The supreme prosecutor would represent the state before the security court as well. The main difference between the state security court and civilian courts is that state security court proceedings need not be public, and the only form of appeal is a motion for reconsideration before the same court.

g. Invasion of the Home

Court warrants are required by law for an official to enter a private residence. Exceptions sometimes occur in politically-related cases, e.g., if an individual is suspected of plotting against the state, but this has been a very rare occurrence under the current Republic.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Government controls all domestic media. The French-language daily "Le Renouveau" and the Kirundi language weekly

"Ubumwe" are published by the Ministry of Information, which also runs the only domestic radio station. Editorial direction comes from the presidency and is pro-government, but occasionally editions have featured muted criticisms of government mismanagement or policies and or programs and have raised political and economic issues. There is no television station in Burundi. In November 1980 the Government seized all television sets used by Burundi nationals to watch telecasts from Zaire. Foreign movies are subject to censorship, but cuts are generally made only on material deemed sexually explicit. Normally there is no interference with the distribution of foreign publications.

b. Freedom of Peaceful Assembly and Association

The express authorization of the Government is required for all political meetings or speakers, and this effectively guarantees government control of public fora. The labor movement is a part of the country's only political party and follows government policy. Wildcat strikes lasting a few hours have occured. However, there is a controlled mediation process to facilitate negotiation of disputes. A presidential decree issued in 1981 prohibits strikes by government officials. Despite these constraints, members of the labor movement assemble often and have frank discussions.

c. Freedom of Religion

Freedom of religion is somewhat restricted in Burundi. Government insistence that religious groups meet only on Sunday and in churches has met with opposition. In addition, the involvement of many foreign missionaries in social work with the poor, who are overwhelmingly Hutu, has at times aroused government suspicion and led to the expulsion of missionaries from the country. However, very few expulsions have taken place since 1979 when 74 missionaries were forced to leave. (At that time, the Government did not prevent church and missionary groups from replacing expelled missionaries, nor did it refuse admission to new arrivals.) The Government has made it clear that churches are free to carry out their work, but must confine their activities to religion and stay out of political matters. When missionaries stray beyond this ground rule, they face expulsion.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Movement is generally free within Burundi. There is no curfew. Foreign travel and emigration are open to all. The Government encourages voluntary repatriation. Burundi's refugee and asylum practices are humane, and returnees have full rights as citizens. Cooperation with the United Nations High Commission for Refugees (UNHCR) is close. The country's estimated 70,000 refugees, primarily Tutsis of Rwandan origin who fled to Burundi in the early sixties, receive good treatment, and most have been successfully resettled, although they are not very often awarded citizenship.

e. Freedom to Participate in the Political Process

The Government of Burundi is dominated by President Jean-Baptiste Bagaza, who rules by decree with the advice and agreement of the Council of Ministers. In November 1982 a new National Assembly was seated. It is comprised of 52 deputies elected by the population and 13 appointed directly by the President. Its announced role is to consider legislation. Only one political party, the government-sponsored UPRONA Party, is permitted.

During the October 1982 elections for the National Assembly the politbureau of the Party approved the list of candidates preselected by provincial electoral colleges composed of Party members and government officials, before it was made public. Two candidates for each elective seat were permitted. Candidates are not required to be members of the Party, but in fact every candidate who was selected to run for office in 1982 was a member.

The UPRONA party is open to all Burundians who profess allegiance to its principles. The Government announced in 1979 that a membership drive, largely conducted by local Party officials, had resulted in over one million new members, or over half of the adult population of the country. The position of the Party in the structure of the Government was strengthened substantially at the time of the Party's National Congress in December 1979, when the 49-member UPRONA Central Committee and its eight-member politbureau replaced the Supreme Revolutionary Council, composed of 29 senior military officers who had ruled Burundi from late 1976. Both the politbureau and the Central Committee are chaired by the President, who is also president of the Party. The membership of the Central Committee, and to a lesser extent the politbureau, includes men, women, youth, and labor. Hutus are represented at the ministerial level of Government and are represented in the senior ranks of the Party, but only to a minor extent given the proportion of Hutus in the population. The military is represented in each major Party body and among the ministers.

The Party undertook in 1980 to draft a constitution that was approved in a national referendum in November 1981. The referendum, organized by the Government, did permit secret opposition votes, although 98.6 percent of the voters were in favor of the Constitution. The new Constitution contains basic civil rights guarantees and explicitly states that women have the same rights as men. The Constitution provides for a strong presidency and a National Assembly. Both the President and four-fifths of the members of the National Assembly are to be elected by universal suffrage. The sole candidate for President permitted by the Constitution is the President of the UPRONA Party. Since a national Party congress is to be held every five years and the last congress was held in 1979, it is anticipated that the first presidential election under the current Government will take place in 1984, following the Party congress scheduled to take place that year.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

In 1982 the International Committee of the Red Cross visited Burundi to investigate prison conditions, but there have been no other reports to indicate that the Government has received requests for outside assessments on human rights.

This past year Amnesty International was concerned about the detention without trial of seven Zairian refugees and the use of the death penalty. In July 1982 the refugees were arrested after demonstrating outside the office of the United Nations High Commission for refugees in Bujumbura. Although detained for more than two months on charges of "making threats and bad behavior", they were eventually released without being brought to trial. Freedom House rated Burundi "Not Free" in 1982.

4. Economic, Social, and Cultural Situation

Burundi is one of the world's poorest countries and has a per capita GNP of approximately $203 (1980). Population density is among the highest in Africa, and the population is growing at an estimated rate of 2.7 percent (1980).

The percentage of the population below the absolute poverty level was estimated in 1979 at 55 percent for the urban population and 85 percent for the rural population. The economy is overwhelmingly dependent on a primitive agricultural sector which supports 95 percent of the population. Low world coffee prices coupled with varying annual production have led to a significant decline in hard currency earnings. The low level of development affects both Hutu and Tutsi, with differences in economic status between the two groups generally not discernable in the countryside. In the few urban areas, Tutsi have long dominated government and education and continue to have a significant edge.

Health care and nutrition are inadequate. The latest available statistic on infant mortality shows a rate of 121 deaths per 1000 live births (1980). While the percentage of the small urban population with access to safe water is high, estimated at 94 percent access to safe water of the much larger rural population is very low. Life expectancy at birth is 41.9 years (1980). Calorie supply available for consumption was estimated to be at 97 percent (1977).

Education, despite considerable government efforts, remains far below the needs of the population. The adult literacy rate is 25 percent. Enrollments at the primary school level in 1977 were only 23 percent of the relevant age group (28 percent for males; 18 percent for females). Only a small fraction of those completing primary school can obtain places in the nation's 35 secondary schools. An even smaller percentage of students win places in the nation's sole university, but once there, they receive high quality instruction in a competitive environment.

The role of women in society is undergoing considerable change. However, women traditionally hold a secondary position. Their legal status was improved in the 1980 legal code on families, and the Constitution eliminated any further legal basis for discrimination. Fewer women than men manage to attain an education, but once an education is attained, women can generally find suitable employment. In the political life of the country, women are represented at all levels. The Union of Burundian Women, the women's affiliate of the UPRONA party, is engaged in several social programs and is regularly called upon to stimulate mass support.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: BURUNDI

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	6.5	6.1	7.2
LOANS..............	0.0	0.0	0.0
GRANTS.............	6.5	6.1	7.2
A.AID	4.4	3.3	5.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	4.4	3.3	5.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	2.1	2.8	2.2
LOANS..............	0.0	0.0	0.0
GRANTS.............	2.1	2.8	2.2
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	2.1	2.8	2.2
E.RELIEF.EC.DEV & WFP.	1.0	1.0	0.8
VOL.RELIEF AGENCY.....	1.1	1.8	1.4
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER...........	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	6.5	6.1	7.2
LOANS..............	0.0	0.0	0.0
GRANTS.............	6.5	6.1	7.2
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	62.4	20.6	13.6	266.7
IBRD	0.0	0.0	0.0	4.8
IFC	0.0	5.6	0.0	5.6
IDA	37.7	0.0	0.0	93.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	21.8	14.5	10.7	63.5
UNDP	1.1	0.5	0.0	30.2
OTHER-UN	1.8	0.0	2.9	9.3
EEC	0.0	0.0	0.0	60.3

CAMEROON

Cameroon has an authoritarian, one-party government, headed by a president who is elected after being chosen by top party officials. The former Federation of East and West Cameroon was made a United Republic under the 1972 Constitution. President Ahmadou Ahidjo, who had led the nation since independence, resigned November 6, 1982, and Prime Minister Paul Biya succeeded him in accordance with the Constitution.

All candidates for president, the national assembly, and municipal offices are selected from within the single party by party officials. (Former President Ahidjo retained his position as head of the party after resigning the presidency). The names, one for each available post, are then submitted to the general population for approval or rejection. Presidential and municipal elections are held every five years. Regional governors, prefects, and subprefects are named by the president. The expanding economy, based on agriculture and boosted by significant petroleum revenues, has been well-managed and has attracted growing foreign investment. Cameroon is thus one of the few countries in Africa during the current recession that has not had to cut back on programs for development and improvement of the economic and social condition of the people.

During the 1960's the Government suppressed an ethnically based, Marxist guerilla challenge. In recent years, as the threat of internal subversion has receded, political detainees have been released, including eight Jehovah's Witnesses in 1982. Nevertheless, decision-making in Cameroon remains highly centralized, and civil and political liberties are circumscribed. In mid-1982, during preparations for the tenth anniversary celebrations of the formation of the United Republic, additional restrictions were initiated temporarily as a result of stepped-up security operations. It is still early to predict human rights trends under the new Government, but all indications are that President Biya intends to follow closely the policies of his predecessor.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There are no reports of political killings either by the Government or terrorist groups during 1982.

b. Disappearance

Persons arrested for reasons of national security, as described below in subsection e, are not processed according to normal civil procedures. Amnesty International claims that at least four such prisoners have been held for many years. No such detention is known to have resulted in "permanent disappearance" or death. Several foreign governments and international human rights agencies have made inquiries to the Government about the welfare and whereabouts of alleged political prisoners, with mixed results.

c. Torture

Torture is proscribed implicitly in the Constitution and specifically in criminal procedures, which makes evidence obtained by torture inadmissible. Nevertheless, there are credible reports of harsh treatment, including beatings, during police interrogation and imprisonment. In previous years, some police officers have been charged and found guilty of practicing torture.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The Cameroon penal code prohibits public servants from using force against any person except under extraordinary circumstances, e.g., resisting arrest. Government officials claim this prohibition is strictly enforced and cite several examples of prison sentences given policemen who physically abused others. Immediately prior to the tenth anniversary celebrations, in May 1982 police were granted extra power to ensure security. Police commissioners were given wide authority to decide upon and mete out physical punishment.

Amnesty International has reported allegations of harsh prison conditions and ill treatment of detainees, and there are reports of unnecessary use of force by the police, ranging in severity from bullying to brutality. Several such incidents were witnessed by credible sources during the past year. The Cameroonian Government acknowledges that prison conditions are crowded and inadequate; it attributes this to a lack of resources, rather than deliberate neglect. The diet and health care offered at the prisons is inadequate. Since the daily food budget for each prisoner is less than 20 cents, most prisoners supplement their diet with food brought by family or friends during visiting hours. Prisoners are treated equally regardless of class, race, religion, or sex. There are no summary executions in Cameroon.

Persons under "administrative detention" (i.e., political prisoners) are kept in special camps or prisons. Access to the "administrative detention" centers by families and friends is reported to be severely restricted.

e. Arbitrary Arrest and Imprisonment

Under Cameroonian law a person arrested on suspicion of committing an offense may not be held for more than 48 hours without a court order. However, after an investigating magistrate has determined that the case should be brought to trial and has issued a warrant to this effect, there is no limitation on how long the person charged may be held in "preventive detention" pending trial. Accused persons awaiting trial constitute the great majority of persons in the prisons at Yaounde and Douala. Release on bail is infrequent. However, certain legal provisions exist which have proven effective in seeking legal remedy for persons detained illegally.

During the months leading to the tenth anniversary in May 1982, there were numerous reports of arrests and abuse as security officials were granted additional authority in conjunction with their security functions. There is evidence that citizens are increasingly being stopped by local police who harass or threaten to detain them unless a bribe is paid. These actions do not appear to be initiated or condoned by high government officials, but rather to be at the initiative of individual rank and file officers. For the most part those detained are reportedly released within 24 hours. There is no evidence available of Government actions to curb this practice.

Persons may be held in "administrative detention" under legislation pertaining to subversion. This legislation is interpreted with restraint. Such detention by regional authorities is initially for one month, renewable twice, and may be extended up to an additional six months by the Minister of Territorial Administration. During the tenth anniversary celebrations, eight Jehovah's Witnesses previously held as political prisoners were released; we estimate there are less than 15 prisoners in "administrative detention."

Under a state of emergency, regional authorities also may order detention for up to one week of persons judged "dangerous to public security", and the Minister of Territorial Administration may order detention of such persons for up to two months, the order renewable without limitation. A state of emergency is in effect in a limited area of West-Central Cameroon where the insurgency in the 1960's took place, apparently as a precautionary measure which would permit the Government to act swiftly in case of perceived threats to public security there.

f. Denial of Fair Public Trial

Cameroon law guarantees criminal defendants a fair public trial, including legal representation at state expense if necessary. Lawyers have unrestricted private access to defendants, and both lawyers and defendants are made fully aware of the charges and evidence. Legal representation is automatic in cases for which the death penalty or imprisonment for ten years or more may be imposed. In some cases involving lesser sentences, legal representation may not be available because defendants are not aware of their rights or because they are unable to afford counsel.

Courts are independent of executive and military control, although civilians may be tried in military courts if they are charged with committing a crime jointly with a soldier.

Due process for military courts is the same as for civilian courts. Verdicts of both civil and military courts may be appealed to the Appeals Courts at the provincial level and to the Supreme Court at the national level. In judicial proceedings, the court does not distinguish between those accused of ordinary crimes and those accused of political offenses.

A revision of Cameroon's criminal procedure and evidence codes is under way with the goal of formulating a unified judicial code, thereby ending differences which occur in the administration of justice in anglophone and francophone parts of the country. This legislation is intended to strengthen protection for the accused -- including improvements in pre-trial, post-trial, and bail procedures.

g. Invasion of the Home

The Cameroonian penal code prohibits the entry into another's residence without permission, unless such entry is made pursuant to a court order or under a state of emergency.

In practice, indiscriminate and unauthorized entry into homes occurs during occasional police sweeps of the poorer residential districts in search of criminals. In the two months prior to the tenth anniversary, actions of working level security officials included the kicking in of doors and the seizure of personal property when citizens were unable to provide evidence of purchase of items of value. There is no credible evidence of violation of privacy of telephonic or mailed communication by the Government.

2. Respect for Civil and Political Liberties, Including:

a. Freedom of Speech and Press

The Cameroonian Constitution guarantees freedom of speech and press "under conditions fixed by the law." In practice there are restrictions on these freedoms. Except for independent weeklies in Douala, Limbe and Bamenda, the Cameroonian press and radio are government-owned and controlled. Criticism of the Government is discouraged, and the media are used to support government programs and institutions. All media elements are inhibited by occasional intimidation of journalists and the possibility of censorship. As a result, self-censorship is the rule, particularly with regard to political criticism. Opposition viewpoints are seldom expressed in the media.

A June 1981 presidential decree stipulated that all newspapers and periodicals must request authorization to publish from the Ministry of Territorial Administration. This law gives the Government increased discretionary power over the print media, and some editions of non-government newspapers have been seized for failure to obtain prepublication clearance. One newspaper ceased publication after only one issue when its editor, who had not obtained prepublication clearance, was arrested. Other journalists who have not exercised restraint have been banished to provincial assignments or lower level government jobs. Foreign magazines have occasionally been seized by the Government when articles have touched on areas considered to be sensitive. The media have, however, criticized inefficiency, unresponsiveness and corruption by the party, the university and other public and private institutions. Media criticism is directed exclusively at policy implementation; basic policy or actions of the Government are not criticized.

Professors and students at the university are strongly discouraged from writing or publishing works critical of the Cameroonian Government and its policies, and professors must submit the text of their lectures prior to delivery. However, a wide range of research which is not blatantly oppositionist is encouraged. The work of certain authors critical of the Government may not be imported or read in Cameroon.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly and association is guaranteed in the Constitution but in practice is restricted. The Cameroonian penal code prohibits public meetings, demonstrations or processions without prior government approval.

The national labor union operates within the framework of the government-controlled single national party and its top leadership is chosen by the Government. The decisions of the congress of the national labor union must be approved by the national political party, and the union cannot have contact with foreign trade union organizations without government authorization. Cameroon is a member of the International Labor Organization (ILO). The union participates in a government regulated negotiation process, but strikes are illegal. Business groups are organized under the government-sponsored Chamber of Commerce. There is a National Bar Association. Other interest groups include professional organizations and informal associations.

c. Freedom of Religion

Cameroon is a nation of Muslims, Christians, and Animists. Followers of these religious beliefs do not appear to enjoy any particular advantage or suffer disadvantage. Freedom of religion is protected by law and generally respected in practice. Religious groups are required to register with administrative authorities. Sects not accepting temporal authority, such as the Jehovah's Witnesses, are proscribed. The practice of witchcraft and sorcery is considered a crime under Cameroonian law, and persons have been convicted and jailed under this statute.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Freedom of movement within the country is not restricted by law. In practice, however, the police frequently stop travelers for checks of identity, tax receipts, and the like. These checks sometimes develop into incidents of petty harassment. Exit visas are required to leave the country and often are available only after long bureaucratic delays. In some cases, these delays may represent attempts by the Government to discourage or even prevent departure. Women must have the permission of their husbands to leave the country. Cameroonians leaving the country must deposit sums sufficient to buy a one-way return air ticket for repatriation should they become stranded abroad. There are no restrictions on the right of voluntary repatriation.

Over the years, Cameroon has offered safe-haven to large numbers of refugees from Nigeria, Equatorial Guinea, and Chad, as well as smaller numbers from other African regions, including Namibia and the Central African Republic. Most of the 30,000 refugees from Equatorial Guinea returned to that country by late 1979 following the declaration of general amnesty for all exiles. After the outbreak of civil war in Chad in mid-1979, about 100,000 Chadian refugees fled to northern Cameroon where the Government took an active role in providing food and shelter with the help of foreign donors. Those refugees who subsequently returned to Chad and the estimated 200 still remaining in the Poli Camp have been well treated in what many observers have described as an exemplary program of international refugee assistance. Cameroon has cooperated with the United Nations High Commissioner for Refugees in a program of voluntary repatriation.

e. Freedom to Participate in the Political Process

Despite implicit constitutional authorization of more than one party, Cameroon is a one-party state. Opposition parties are not tolerated and all political activities must take place under the umbrella of the Cameroon National Union. Citizens who accept these constraints can involve themselves in competition at the local level among factions representing different political points of view. For the majority of the Cameroonians who are not party activists, however, the political process involves little element of choice. A single candidate for each position is chosen by the party and subjected to a vote of approval or disapproval by the public. Party-chosen candidates are occasionally rejected by the electorate. Voters need not be members of the party. Write-in candidates are proscribed by the Constitution. Anglophones and other minorities are represented in the Government and the National Assembly in numbers roughly proportional to their populations.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Amnesty International regularly requests information from the Cameroonian Government on the status of persons allegedly detained without formal charges and without public trial. At first, the Government recognized no obligation to respond to queries about specific individuals. It has recently stated that each such case is thoroughly investigated. Amnesty International states that the only responses received from the Cameroon Government have been denials that the individuals in question are detained in Cameroon. In 1980, Amnesty International requested the Government to permit the inspection of prisons by an independent humanitarian organization. The request was not acknowledged, and no action is believed to have been taken by the Government. In February 1980 President Ahidjo responded indirectly to Amnesty International's criticism by rejecting the charge that human rights are not respected in Cameroon. There are no organizations within Cameroon which observe, report, or contest human rights violations. The preamble to the Cameroonian Constitution affirms support for the freedoms guaranteed in the Universal Declaration of Human Rights and the United Nations Charter. Cameroon is not a signatory to the African Human Rights Charter. In its 1982 report Amnesty International listed its concerns as long-term detention without trial of suspected political opponents and poor prison conditions.

4. Economic, Social, and Cultural Situation

Cameroon's population is estimated at 8.6 million, with a growth rate of 2.5 percent. Life expectancy is presently about 47 years, and the national infant mortality rate is 157 per 1,000 live births.

The national active labor force participation rate is 48 percent. Seventy-five percent of this labor force (3.4 million) is in the rural areas engaged in farming or small business such as tailoring, banking, and minor crafts. Two hundred thousand persons are engaged in the industrial sector and the remaining 600,000 in the tertiary sector (transportation, communication, and service). The labor force in the public sector reached 100,000 by 1981, increasing at an annual rate of 6.9 percent. In 1980, the Government reported a national unemployment rate of six percent-- 12.2 percent in the urban areas and about 4.3 percent in rural areas, although labor ministry officials estimate that the figures are not complete. Considering the annual economic growth of over six percent during the past three years, the expansion of employment opportunities has not kept pace with either the growth in the work force or the intensified national investment of over 24 percent of the gross domestic product. The rate of inflation, as recorded monthly by the IMF, is currently estimated at about 12 percent.

Fifteen percent of the urban population and 40 percent of the rural population of Cameroon are estimated to live below the absolute poverty level. Scanty national income data indicates that 10 percent of the population receives about 60 percent of the income. This implies that 90 percent of Cameroon's population receives an income of less than one half of the national per capita average of $669. These differences in part stem from the diversities in geographical areas and limited access to ideas, markets, and services.

A National Nutritional Survey (1978) reported that about 21 percent of the children under five years of age suffer from chronic undernutrition. Moderate to mild malnutrition is suffered by 4.8 percent of the children under five years of age. The ratio of calorie supply available for consumption relative to nutritional requirements is 89 percent (1977). Access to safe drinking water is estimated at 26 percent (1975).

The school enrollment rate for children between the ages of 6-14 averages 88 percent in urban areas and 46 percent in rural areas, with female students underrepresented noticeably in the rural secondary schools. There is a primary school enrollment ratio of 103 percent. Although the percentage is high, there are marked regional differences in access to primary education. School attendance rates are one-third the national average in the Muslim North, where only 22 percent of the children attend school. The adult literacy rate is 12 percent (1970).

Women, by law, enjoy equal rights with men under the Cameroonian Constitution and are politically active in the nation's sole political party and labor union. The women's wing of the party has created social and education programs aimed at encouraging the economic and social productivity of Cameroonian women. Cameroonian women are represented in the modern sector, although not proportionately in the upper levels of administration and in the professions. Women hold government positions such as Minister of Social Affairs, Vice-Minister of Education, Ambassador to the United Nations, party central committee member, and deputy in the National Assembly.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: CAMEROON

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	9.4	12.6	19.2
LOANS..............	0.0	0.0	9.1
GRANTS.............	9.4	12.6	10.1
A.AID	6.3	7.8	15.3
LOANS..............	0.0	0.0	9.1
GRANTS.............	6.3	7.8	6.2
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.9	2.4	1.5
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.9	2.4	1.5
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.9	2.4	1.5
E.RELIEF.EC.DEV & WFP.	0.1	1.5	0.9
VOL.RELIEF AGENCY.....	0.8	0.9	0.6
C.OTHER ECON. ASSIST...	2.2	2.4	2.4
LOANS..............	0.0	0.0	0.0
GRANTS.............	2.2	2.4	2.4
PEACE CORPS......	2.2	2.4	2.4
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	1.0	4.5	1.5
LOANS..............	1.0	4.4	1.5
GRANTS.............	0.0	0.1	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	1.0	4.4	1.5
C.INTL MIL.ED.TRNG....	0.0	0.1	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	10.4	17.1	20.7
LOANS..............	1.0	4.4	10.6
GRANTS.............	9.4	12.7	10.1
OTHER US LOANS..........	6.9	0.0	63.0
EX-IM BANK LOANS.......	6.9	0.0	63.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	64.7	47.3	155.7	1046.7
IBRD	16.5	40.0	128.3	492.3
IFC	0.0	3.3	1.5	14.4
IDA	31.0	0.0	0.0	233.2
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	15.9	33.9
UNDP	2.8	2.0	0.0	42.2
OTHER-UN	0.0	2.0	0.0	7.3
EEC	14.4	0.0	10.0	223.4

CAPE VERDE

Cape Verde is ruled by a small group of men who led the country to independence in 1975 following 500 years of Portuguese rule. This group which directs Cape Verde's single political party, the African Party for the Independence of Cape Verde, selects the president, who is nominally elected by the national assembly. Election to the national assembly is from a single list of candidates selected by the party. No other political parties are permitted. The guiding political role of the party is formally set forth in the Constitution which restricts freedom to participate meaningfully in the political process. However, the Cape Verdean authorities have generally shown respect for the integrity of the person.

The major human rights development in 1982 was the conviction of 19 persons for "attempting to alter the Constitution by violent means." They had been arrested after a disturbance in 1981 which arose out of a political protest. There are no other persons known to be imprisoned for politically related offenses. No significant trends in human rights can be discerned from the events in 1982.

Cape Verde lacks natural resources, has a poorly-developed economy, and is suffering through its fourteenth year of drought. The Government is the largest employer and controls banking, commodity imports, mass transit, the press, and schools. Although the ideology of the party is socialist, there is a substantial private sector. Most shops, farms, and the fishing industry are in private hands, and private doctors and lawyers practice their professions. The Government, in implementing its programs for economic and social development, has refrained from arbitrary expropriation of private property, and confiscatory tax laws. Government economic and social programs are run in a nondiscriminatory fashion.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no reports of politically motivated killings during the year.

b. Disappearance

There have been no confirmed instances of any mysterious disappearances, abductions, or persons held in clandestine detention during the year.

c. Torture

In 1981 an opposition group outside Cape Verde alleged that some persons were tortured after being arrested following a disturbance which arose out of a protest against the Government's proposed agrarian reform legislation. A public request to the Government by a local association of Cape Verdean lawyers for a public inquiry into allegations of torture and mistreatment of prisoners was refused. There were no reports of torture in 1982.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The severity of sentences is not considered to be unacceptable under international standards. Prison conditions are austere reflecting conditions of life in the country.

e. Arbitrary Arrest and Imprisonment

About 25 persons were arrested in 1981, after a disturbance on the island of Santo Antao arising out of protests against the Government's proposed land reform legislation. In March 1982, 19 of these persons were tried and were sentenced to periods of imprisonment ranging from six months to ten years for "attempting to alter the Constitution by violent means". There are no other persons known to be imprisoned for politically-related offenses. Habeas corpus exists in Cape Verde and appears to be observed for nonpolitical offenses. Cape Verde law requires that arrestees be charged within 48 hours of arrest, or in exceptional cases, and with the concurrence of a procurator or judge, within five days. However, in cases of alleged crimes against state security, persons may be detained for up to five months without trial upon a judge's ruling.

f. Denial of Fair Public Trial

Defendants have a right to counsel. If they cannot afford counsel, the court will assign them an attorney.

The judiciary does not have the authority to determine the constitutionality of legislation. Although according to the Constitution judges are independent, one former judge now living out of the country has claimed that one-party rule in practice has hampered the functioning of a truly independent judiciary. Most evidence suggests, however, that the courts protect individual rights in criminal cases.

g. Invasion of the Home

The Constitution recognizes the inviolability of domicile, and the law requires that search warrants be issued by a judge. There have been no known instances during the year of illegal entry of homes or other violations of domicile.

2. Respect for Civil and Political Rights, Including

a. Freedom of Speech and Press

The Constitution guarantees freedom of speech and intellectual creativity, including the rights of authorship. The Constitution also stipulates that none of the rights and freedoms granted in it may be exercised "contrary to national unity" or the Constitution's principles and objectives. Since the principle of the party's political leadership is stated in the Constitution, criticism of the government's policies is considered by it to be unconstitutional. The newspaper and radio are government-owned and news is edited to reinforce support for the Government's policy. During 1982, a former Cape Verdean government official, now in exile, charged that the newspaper refused to print his rebuttal to attacks the paper made against him.

b. Freedom of Peaceful Assembly and Association

The Constitution guarantees these freedoms, including the right to strike. In practice "mass associations," such as the labor union and youth groups, function to mobilize popular support for government policies. The leadership of the labor union is closely tied to the party but claims to be independent. Although the union has the structure and some functions of a traditional trade union and is not part of the state structure, the right to strike has rarely, if ever, been exercised. There are no associations in Cape Verde organized to oppose government policies. During the year, there were no known instances of persons assembling to express opposition to government policies.

c. Freedom of Religion

The Constitution separates church and state. Religious leaders do not participate in political affairs, and the Government would not allow such participation. The Government respects freedom of worship, and members of all religous groups in Cape Verde practice their religion without harassment. There is no evidence that adherence to a particular faith disadvantages the adherent in secular activities. About two-thirds of the population is Roman Catholic.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There are no legal or administrative restrictions on either travel or residence within the country. All resident Cape Verdeans wishing to leave the country, either temporarily or permanently, must obtain exit permission from the Government. Such permission has not been denied for political reasons. Emigration has long been an important escape valve from harsh economic conditions in the country. Repatriation is a constitutional right of the citizen, and the Government does not discourage intending repatriates. The law allows for revocation of citizenship on several grounds, including activities contrary to the interest of the country. However, there are no known cases of persons having lost citizenship for political reasons. There are no foreign refugees in Cape Verde.

e. Freedom To Participate In the Political Process

Cape Verde is a single-party state. The head of state, the President, is nominally elected by the national assembly. However, it is believed that his election ratifies a decision already taken at the party's superior council level. Although the Constitution vests supreme political authority in the national assembly, which meets for several weeks a year to review decisions made by the executive, real power appears to rest with the small group of men who led Cape Verde to independence. They are the President, the Prime Minister and members of the national council of the party. Participation in the party is open to all without coercion, and about two percent of the population belongs. Party membership is not required to hold senior positions in the

Government. Most high officials are party members, although several are not. In the first national elections for the assembly in December, 1980 there was only a single voting list which was compiled by the party. Voters had the option of rejecting the list and eight percent did so.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There is evidence that the Government is receptive to visits by private organizations to check on conditions of persons imprisoned for politically related offenses. There are no known instances in which the Government has been the subject of resolutions, investigations or other human rights actions by official international organizations. The major private human rights organizations have not reported on Cape Verde.

4. Economic, Social, and Cultural Situation

The Government of Cape Verde is committed to improving the economic condition of its citizens. However, its ability to help its citizens attain a minimum level of well-being is severely restricted by the islands' lack of natural resources and the continuation of severe drought.

The Government's first priority is the prevention of famine, which it has successfully warded off since independence with food aid, primarily from Western countries. The Government has given priority to emergency developmental programs, financed primarily by foreign grants, to provide jobs for agricultural workers displaced by drought. Water and soil conservation programs and road and school construction are given emphasis. Over the past 150 years recurrent droughts and high unemployment, currently about 33 percent, have led to emigration and have resulted in a large Cape Verdean overseas community estimated at about 500,000, of whom some 300,000 live in the United States. Emigrant remittances and official aid account for two-thirds of the country's gross national product. (US food and development aid since independence totals $50 million.) Per capita gross national product is estimated at about $300. The population of the Cape Verde Islands is about 300,000, growing at an annual rate of less than one percent a year. With an infant mortality rate of about eight percent in 1980, life expectancy at birth is 61 years. The adult literacy rate is 37 percent.

Racial discrimination is not a problem in Cape Verde, and the vast majority of the population shares various proportions of Portuguese-African ancestry. Sex discrimination exists, because many of the traditional, male-oriented values in the Portuguese and African heritages of Cape Verde are still part of the islands' culture. Women have been customarily excluded from certain types of work, and are often paid less than men for comparable work. The Government has included women in the labor intensive economic development projects financed by foreign grants. The Constitution bans sex discrimination. Both the Government and the party are making efforts to bring women into various economic and social activities where they have been traditionally absent. The Organization of Cape Verdean Women was founded in 1980, with party encouragement, to sensitize the Government and Cape Verdeans on issues affecting women. The Code of the Family, enacted in October 1981, prescribes full legal equality of men and women, including equal pay for equal work.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: CAPE VERDE

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	5.8	6.6	6.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	5.8	6.6	6.0
A.AID	3.1	3.6	3.5
LOANS...............	0.0	0.0	0.0
GRANTS..............	3.1	3.6	3.5
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	2.7	3.0	2.5
LOANS...............	0.0	0.0	0.0
GRANTS..............	2.7	3.0	2.5
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR......	0.0	0.0	0.0
TITLE II-TOTAL.........	2.7	3.0	2.5
E.RELIEF.EC.DEV & WFP.	2.7	3.0	2.5
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL.ECON. & MIL...	5.8	6.6	6.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	5.8	6.6	6.0
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.9	0.4	16.0	27.3
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	15.7	22.3
UNDP	0.9	0.4	0.0	4.0
OTHER-UN	0.0	0.0	0.3	1.0
EEC	0.0	0.0	0.0	0.0

CENTRAL AFRICAN REPUBLIC

Since September 1, 1981, General-of-the-Army Andre Dieudonne Kolingba has headed the all-military Government of the Central African Republic. He relies on military colleagues and a few civilian confidants to run the country in the name of stability. On several recent occasions Kolingba has enjoined party leaders to refrain from political activity, public or private. He has said that he believes that economic development and political maturation must be further developed to prepare the country for a return to democracy, but that it will only take root if party politics are set aside for at least two more years.

Kolingba's injunction against political party activities stems from politically exacerbated regional and tribal cleavages evident during 1981. Under Bokassa, control of the Government, the armed forces, the judiciary, and the sole political party was absolute. Local elections were held under strict limitations, and in one instance, the Emperor nullified an election because he disapproved of the winning candidate. Shortly after former President David Dacko took power in September 1979, he took steps to re-establish democratic institutions in the country. In early 1980 a constitution was ratified by the Central Africans in a referendum and multi-party elections for the presidency were held in March, 1981. However, because Dacko was elected by the slimmest of margins he was unable to control opposition party agitation; much of it was tribally motivated against his Government.

Dacko's arch-rival, Ange Patasse, the leader of the Central African Peoples Liberation Movement, contested the results of the election and encouraged Central Africans to undermine Dacko. Supporters of Rudolph Iddi Lala, a Central African exile in the Congo, planted bombs at several places in the country. One of these was set off in a Bangui cinema on July 14, 1981, killing three persons and severely injuring another 32. After serious attacks by the opposition, Dacko passed the powers of government to his Chief of Staff, General Kolingba.

Kolingba's accession as head of state was at first cautiously accepted by most of Dacko's former opponents. By the end of 1981, however, his rule was more and more called into question. As a result, on two occasions during 1982, Kolingba virtually imposed a state of siege in reaction to at first an overt, then a covert, opposition challenge.

The first was occasioned in February 1982, by Patasse who returned from self-imposed exile in Paris. He was greeted by six thousand followers when he arrived and his arrival stirred up his partisans. By early March 1982, tribal and regional cleavages had widened to the point where serious public disturbances were threatened. On the night of March 3, one of Patasse's sympathizers in the Government, Minister of Information Brigadier General Francois Bozize, called on the population to oust Kolingba from power. In the early evening hours other supporters had put up barricades in several places in the African quarters of the city. The coup was foiled and Kolingba and his security forces mastered the situation, although the principal plotters escaped and are still at large. About 40 people reportedly were killed by security forces and perhaps one hundred wounded in the immediate aftermath of the failed coup. Though opinion varies whether the apparent threat of unrest justified this action, it is clear that many of the casualties were not active Patasse supporters.

During the rest of March and April, expatriates were routinely intimidated and other Central Africans often imprisoned by Government forces. Well over 200 people were rounded up and jailed. Ange Patasse sought refuge in the French Embassy and is now in exile in Lome under the supervision of the Togolese government.

The second occasion on which Kolingba imposed martial law occurred about the time of the August 17 arrest of Professor Abel Goumba, the President of the Oubangui Patriotic Front-Labor Party and rector of the University of Bangui. During this period, tracts critical of the Government and attributed to Goumba were clandestinely circulating in Bangui. These led the security forces to set up roadblocks throughout the city to forcibly inspect all vehicles, including those of diplomats, in contravention of international law. This practice ended in September. Goumba himself was detained on the basis of correspondence with associates, implicating him in a scheme to establish clandestine revolutionary cells throughout the country as a preliminary to engaging in guerrilla warfare against the Government. Goumba is also being accused of having maintained contact with foreign political parties and Marxist states intending to abet the overthrow of the Kolingba Government.

The presence of political prisoners is a new development in the last two years. During Dacko's administration few people were held in custody for political offenses despite the activities of the opposition. At the present time about 100 persons are being detained on charges of subversion and conspiracy. Their rights to integrity of the person seem to be generally respected, however, since no verifiable reports of mistreatment of the prisoners have been heard.

About 30 of the approximately 130 political activists detained since the beginning of the year, including the two opposition party leaders, Doctors Bedaya-Ngaro and Mandaba, have been released without publicity because the Government's case against them was weak. A Government source has suggested that with the ebbing of political memories, the Government will gradually free the other political detainees. There may nevertheless be exceptions. The wives of opposition leader Ange Patasse and coup plotter General M'Baikoua may be kept prisoners or at least under house arrest, for some time as hostages for the good conduct of their husbands now in exile.

The Central African Republic is a poor, landlocked and sparsely populated country. Its inhabitants for the most part derive their livelihood from subsistence agriculture. Only about one percent of the population has had university education. The essentially free-enterprise economy has suffered from mismanagement for more than a decade. Expatriates dominate the economy and sometimes Government officials try to control it for personal gain. Private interest is thus confounded with public interest and corruption as a result is deeply embedded in the ethos as a traditional way of doing business. The present Government has, however, taken some effective steps to reduce corruption, particularly in the collection of customs receipts.

1. Respect for the Integrity of the Person Including Freedom from:

a. Killing

There is no evidence of assassination for political motives by government forces. During the March 1982 aborted coup, approximately 40 people were reportedly killed and 100 wounded by security forces attempting to search out fleeing government officials implicated in the coup attempt. Killings are not generally condoned as far as is known by the Government or opposition elements.

b. Disappearance

There is no indication that people are being abducted, secretly arrested, clandestinely detained, or simply disappear as a result of government action.

c. Torture

There have been no reports of torture. The Penal Code prohibits torture and provides for sanctions against persons guilty of physical abuse.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Prison conditions remain substandard, and the police are often brutal, but those currently imprisoned, including for political crimes, have not apparently been subjected to unusually harsh treatment. Family members, legal counsel, doctors, and ministers of the faith have as a rule been given controlled access to prisoners. Early in the year, however, the wife of General M'Baikoua, who was gravely wounded during the government assault on the general's home following the aborted coup d'etat, was transferred while in serious condition from the General Hospital to a military camp. She did not receive adequate medical attention there.

e. Arbitrary Arrest and Imprisonment

Unlike Dacko's Government, Kolingba's has engaged in illegal arbitrary arrest and imprisonment. Government officials have argued that arrests of political activists were necessary to put an end to subversion and the danger of serious civil unrest. Political detainees can be held without charge under local law for as long as two months, but at that point detainees must be either formally charged or released. If charged, local judicial procedures (which are modeled on the French) allow for open-ended preventive detention while the public prosecutor prepares the state's case against the accused. Some political detainees have been in custody for nearly a year, however, without counts of indictment being brought against them. Neither common criminals nor political prisoners can claim the right of habeas corpus. Its procedural equivalent nonetheless exists in that within a maximum of 96 hours in the first case and two months in the second, a detainee must be physically brought before an examining magistrate who considers whether formal charges will be filed against the prisoner.

f. Denial of Fair Public Trial

In common criminal cases -- except when leading personalities of the regime are involved -- the Government permits the French-modeled legal procedures to be fairly and openly applied and the laws to be properly executed. Within this framework, Kolingba granted amnesty to petty criminals in December 1981, and again in August 1982, acts of grace which did not apply to political prisoners. The courts are clearly dependent on the executive. Constitutional Act 2/81 says contradictorily that the judiciary is independent of the executive but that its independence is guaranteed by the President.

A special tribunal comprising civilian magistrates and military advisors adjudicates political crimes. It sentenced five men to death in May 1982, two of them in absentia, for planning the bombing of several facilities in the country in July and August, 1981. The special tribunal differs from ordinary courts in that there is no appeal except for the possibility of presidential clemency, and it can only try a case after being authorized by the President. On at least one occasion, Kolingba has withheld his authorization. Furthermore, the right of political detainees to effective counsel is not clear. There is an unconfirmed report that the briefcase of the French lawyer defending Professor Goumba was recently opened at the airport by government officials who copied the lawyer's brief. Another attorney who has been vigorous in his defense of political detainees has had his license suspended arbitrarily.

g. Invasion of the Home

The Criminal Code prohibits the invasion of the home without due process. This right is apparently not generally abused in civil and minor criminal cases. If a political crime is involved, however, ordinance 81/035 (which instituted the special tribunal) authorizes searches anytime, anywhere. These searches have been conducted without specific warrants.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The right to speak one's mind about political developments or to criticize the Government is circumscribed. Any individual delivering a speech considered potentially seditious would undoubtedly put himself in jeopardy. The Government also prohibits the distribution of tracts and literature deemed to be subversive, and it has arrested a score of people for doing so. Laws 60/169 and 61/239 (Chapter 3) ban subversive writings and conspiracies of any sort against the internal security of the state. Mass media are extremely limited and broadcast media are controlled by the Government. Religious organizations and missionary groups are protected and provided religious freedoms by the Constitition.

b. Freedom of Peaceful Assembly and Association

Only sports enthusiasts and devotees of other cultural pursuits of a non-political nature can assemble without fear of government intimidation. No effective labor movement exists. The Government tacitly approves of an apoliticized labor federation that has conducted few activities on behalf of workers. It has neither rallied workers around a common cause nor promoted labor strikes. The International Labor Organization has a case pending before it involving the Government's violations of labor's right to free association.

c. Freedom of Religion

All forms of religious activities are generally observed in the country. No religion dominates the others, and none seems to confer either a social advantage or disadvantage. However, in one instance, some adherents of the Unification Church were arrested for distributing tracts without authorization. They were released a few days after their arrests, but some foreign members were subsequently required to leave the country after they continued to proselytize Central Africans.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

After the failed coup d'etat in early March 1982, all movement within the country was severely restricted. Intensive security checks were intermittently maintained until early September. Since then financial and educational constraints rather than government controls restrict most foreign travel and emigration. The right of voluntary travel and repatriation is recognized, and there appears to be no sexual discrimination in its application. The country remains hospitable to foreigners. About 5,600 Chadians temporarily or permanently reside in the country. There is no known instance where citizenship was revoked during 1982.

e. Freedom to Participate in the Political Process

The Government of the Central African Republic is dominated by President Andre Kolingba who is president of the Republic, president of the ruling Military Committee for National Recovery, as well as military Chief of Staff. He rules with the assistance of the 23 officers on the Military Committee for National Recovery, each of whom also holds a cabinet post. Kolingba apparently favors collegial style of rule.

Since September 1, 1981 all forms of public and private assembly for political purposes have been proscribed. The party formerly led by Ange Patasse was banned shortly after the thwarted March coup d'etat. Patasse himself was exiled in Togo, and the other party leaders who are at liberty have been enjoined to stay out of politics. The Government apparently intends to deny public participation in the political process until economic recovery is achieved and until it believes that political activists can play what it regards as a "constructive" role in society.

3. Government Attitude Regarding International and Non-governmental Investigations of Alleged Violations of Human Rights.

Amnesty International reportedly has accused the Kolingba Government of detaining more than 100 persons. International or non-governmental investigations of the country's human rights record may not be welcome by the Government, but pressures from such groups may have had an effect on the human rights situation. Early in 1982 the Government reportedly released several prominent anti-government sympathizers from police custody in response to Amnesty International's interventions. Some of its Western European affiliates reportedly sent as many as 300 letters to President Kolingba requesting the trial or release of the men in question.

4. Economic, Social, and Cultural Situation

The Kolingba Government must rebuild and develop one of the world's poorest economies, which has suffered in the past from inept rule. The Government's ability to do so depends on massive and long-term inputs of financial and human resources from abroad. Current government plans focus on strengthening the agricultural sector (primarily through road building/maintenance programs and by encouraging cash crop production) and upgrading other basic infrastructure. These programs are designed to increase state revenues and thus over time lessen reliance on foreign aid.

Per capita income was about $295 during 1981. Inflation and population growth rates caused the average Central African's income to diminish by 6.7 percent a year during the 1977-1981 period. In 1981 an inflation rate of 16 percent continued to contribute to a real decline in economic activity and per capita income. As a result, many of the country's predominantly rural inhabitants abandoned the cash economy for susbistence farming and hunting during the last few years. Minimum wage laws are in effect for both industrial and agricultural workers, but the number of those affected is small relative to the population as a whole, owing to the low level of economic development.

Despite the ravages of tropical diseases and an infant mortality rate of 149 per 1000 live births, the country's population of about 2.3 million still grows by 2.2 percent a year. Life expectancy at birth is only 44 years because of the woefully inadequate or simply non-existent health care in some parts of the country. Although health care is accorded a high priority by the Government, it is handicapped by lack of trained personnel and the inaccessibility of large parts of the country.

Government support for education occupies an important place in the government budget. Total school population approximates 280,000 (primary through university levels). Still, the literacy rate is estimated to be no higher than 18 percent, and it may be lower in rural areas. The Ministry of Education, therefore, plans to increase expenditures to provide better trained teachers and more schools to Central Africans living outside the capital.

Due to the low level of economic development, women are generally accorded a lower status than men in Central African society. Polygamy is common, and the legal system and traditional practice tend to support the rights of wives and all children of such marriages. Women were legally equal to men during the Bokassa era, and several held high office in the Government and in the imperial court. In principle this practice was continued under Dacko although no women were named to his cabinet. There are no female cabinet members in the Kolingba Government.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: CENTRAL AFRICAN REPUBLIC

	1980	1981	1982
I.ECON. ASSIST.-TOTAL	1.5	1.8	2.7
LOANS	0.0	0.0	0.0
GRANTS	1.5	1.8	2.7
A.AID	0.0	0.0	1.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	1.0
(SEC.SUPP.ASSIST.)	0.0	0.0	0.0
B.FOOD FOR PEACE	0.5	0.4	0.2
LOANS	0.0	0.0	0.0
GRANTS	0.5	0.4	0.2
TITLE I-TOTAL	0.0	0.0	0.0
REPAY. IN $-LOANS	0.0	0.0	0.0
PAY. IN FOR. CURR	0.0	0.0	0.0
TITLE II-TOTAL	0.5	0.4	0.2
E.RELIEF.EC.DEV & WFP.	0.5	0.4	0.2
VOL.RELIEF AGENCY	0.0	0.0	0.0
C.OTHER ECON. ASSIST	1.0	1.4	1.5
LOANS	0.0	0.0	0.0
GRANTS	1.0	1.4	1.5
PEACE CORPS	1.0	1.4	1.5
NARCOTICS	0.0	0.0	0.0
OTHER	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
A.MAP GRANTS	0.0	0.0	0.0
B.CREDIT SALES-FMS	0.0	0.0	0.0
C.INTL MIL.ED.TRNG	0.0	0.0	0.0
D.TRAN-EXCESS STOCK	0.0	0.0	0.0
E.OTHER GRANTS	0.0	0.0	0.0
III.TOTAL ECON. & MIL	1.5	1.8	2.7
LOANS	0.0	0.0	0.0
GRANTS	1.5	1.8	2.7
OTHER US LOANS	0.0	0.5	0.0
EX-IM BANK LOANS	0.0	0.5	0.0
ALL OTHER	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL	1.4	7.2	8.7	177.5
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	31.4
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	8.7	42.2
UNDP	1.3	5.1	0.0	23.8
OTHER-UN	0.1	2.1	0.0	5.7
EEC	0.0	0.0	0.0	74.4

CHAD

A country emerging from 17 years of civil war, Chad has a new Government dominated by the personal authority of President Hissene Habre, who took the capital on June 7, 1982 and extended his control to the whole of the country by October.

During 1982 Chad experienced two very different political and governmental situations. The large number (7-10,000) of Libyan troops which had been deployed in Chad during most of 1981 were withdrawn at President Goukouni's request in November 1981 and replaced by an Inter-African Peacekeeping Force composed of Nigerian, Zairian, and Senegalese troops. From January to June a weak coalition government led by President Goukouni Oueddei ruled the capital, N'Djamena, and exerted tenuous control over the central part of the country. The southern provinces, which possess the bulk of Chad's economic and agricultural resources, were nominally under government control but in fact enjoyed virtual autonomy under the forces of Vice President Kamougue. Nevertheless, civil war conditions raged over much of Chad in these months. Goukouni rejected OAU calls for negotiations and instead undertook several military campaigns against Habre's forces. Habre, who had agreed to negotiate under OAU auspices, fought Goukouni when attacked, and delivered several crushing defeats. From February to May 1982, Habre's Forces Armees du Nord (FAN) gained strength and began a sweep across eastern and northern Chad which eventually brought victory in June. The coalition forces, representing the three major factions in Goukouni's Government, were poorly organized and wracked by internal divisions, and lost successive major battles against the FAN despite sizeable amounts of external military assistance. The Peacekeeping Force refused to intervene in the fighting and withdrew from Chad at the end of its predetermined mandate in June 1982.

When the victorious FAN seized N'Djamena on June 7, Goukouni and most of his ministers fled to neighboring countries. Habre began a process of negotiation with the remaining factional leaders, particularly Kamougue, with the aim of unifying the country and effecting political reconciliation. But serious negotiations never got under way and in early October 1982, Kamougue was driven out of Chad by a combined force of FAN troops and disaffected members of Kamougue's own southern-based army. Thus Habre was able to extend his control into southern Chad, unifying the entire Chadian nation under one government for the first time in several years.

Once the south had been secured, Habre, who had been serving as head of a provisional "Council of State", moved to establish a more permanent government. On October 21, President Habre was formally installed as Chief of State and a new Council of Ministers and National Consultative Council were created. Members of the Government were chosen by the FAN with Habre's personal approval.

Though Habre has de-emphasized the former factions in his efforts to promote political reconciliation, the new Government includes members of all the major factions and representatives of all regions of Chad. None of the factional leaders who opposed Habre in 1982 are included in the Government. In late 1982, Goukouni and Kamougue announced a "government in exile" and launched a new insurgency, with Libyan backing, based in northern Chad.

The prolonged fighting and a serious drought combined to create a food supply crisis during the summer of 1982, which was overcome only by a major effort of the international community. Other aspects of the economy remained in desperate condition through much of 1982, although there were signs of an upturn in the closing months.

An international donors conference organized by the UN in Geneva November 29-30 raised substantial pledges of international assistance for reconstruction of Chad's devastated economy. Over the next several years, such assistance will be an essential element in the Chadian Government's efforts to get the country back on its feet.

During this tumultuous year, human rights concerns did not receive adequate attention in Chad. The civil war occasioned considerable summary justice and retribution on both sides. During the takeover of N'Djamena many Chadians had feared a massacre or at a minimum extensive looting by the victorious forces, according to the unfortunate precedents of Chadian history. But this did not happen: Habre enforced effective discipline among his troops, avoided large-scale killings, and kept looting and other exactions to a minimum. The new Government has pledged an eventual return to democratic procedures in Chad (at a time and under conditions as yet unspecified), and has allowed courts and trade unions to resume their functions. In short, there is a trend developing away from the chaos and total breakdown of authority of the civil war period toward an era of stability and control, and President Habre appears to be more sensitive than he had previously appeared to human rights concerns. Whether this trend will continue will depend to a great extent on the continued provision of foreign assistance and on the control of externally sponsored subversion, which could plunge the country back into renewed civil war. Historically, there has been considerable tension and struggle for control between northerners and southerners, a struggle which also includes religious overtones, as the majority of the northerners are Muslim while the southerners are Christians and animists. This tension can be expected to persist in the future.

The US Embassy, which was closed during the fighting in March 1980, was reopened in January 1982. During most of 1982, Embassy personnel had virtually no access to large parts of the country because of the poor security situation and lack of transport capabilities. This necessarily limits our knowledge of the workings of the governmental system within Chad.

1. Respect for the Integrity of the Person Including Freedom from:

a. Killing

In the civil war conditions and breakdown of law and order prevailing during much of 1982, killing for a variety of motives, both political and personal, was widespread and practiced by all the competing factions. The Habre Government has greatly curbed the recourse of individuals to armed violence. Nevertheless, there were several reports of summary killings particularly when the southern provinces switched allegiance to government forces in September.

b. Disappearance

The category of disappearances intentionally caused by the Government is not readily applicable to the disorganized situation in Chad during the civil war, but many people disappeared in this period. We have no information on changes that might have occurred since the transition from the Goukouni period to the Habre Government.

c. Torture

There is no evidence that torture has been practiced, although it is not unlikely given the turbulent conditions prevailing in Chad during the civil war period. We have no information on changes that might have occurred since the transition from the Goukouni period to the Habre Government.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Throughout 1982 there were undoubtedly cases of cruel treatment of prisoners inherent in the stresses of civil war. Most recently, the ousted southern leader, Colonel Kamougue, was widely believed to have resorted to harsh measures against his opponents in the south, including killings, and indeed there remain a number of purported victims yet to be accounted for. The Department of State has been unable to obtain verified information on this subject.

e. Arbitrary Arrest and Imprisonment

Perhaps 1,000 prisoners of war, some dating back to 1978, are being held in various parts of the country, often under lenient conditions. A smaller number of "political detainees" are also being held under harsher conditions. After Habre's forces took power, a number of prisoners held by the previous government were released.

f. Denial of Fair Public Trial

During the first half of the year, under Goukouni, a special military tribunal exerted a summary justice at least in N'Djamena. There are currently few functioning courts within the country beyond the neighborhood level, but the planned resumption of judicial activities is slowly beginning to take place.

g. Invasion of the Home

Undisciplined "combatants" and even private individuals took advantage of the civil strife to loot and illegally occupy private homes. However, invasion of homes as a governmental practice is not known, and the Habre government is seeking to control through exhortation the excesses of these "combatants."

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The effective standoff among the various factions during early 1982 permitted considerable freedom of speech and scope for Chad's embryonic, government-controlled media. During this time a Chadian stringer for a major U.S. news service, who had been jailed in late 1981 by the previous government, was released. Since the takeover by Hissein Habre, a combination of prudence and relief at the end of the civil war appears to have precluded strong criticism of the Government, even though President Habre himself announced the guarantee of free speech on September 28. There is no organized mechanism for censorship.

b. Freedom of Peaceful Assembly and Association

There are no known constraints, other than the curfews imposed during much of the year, on peaceful assembly and association. However, there are few active institutions other than those related to the Government and religion. The previous union and professional groups are largely in a state of suspense, with pressing labor problems handled by the Ministry of Labor, though trade unions are beginning to resume their activities. Various categories of individuals, particularly truckers, taxi drivers, and store owners are grouped in trade associations that have some mutually protective aspects: There has been little change in this regard since Habre came to power.

c. Freedom of Religion

The civil war has been mistakenly characterized as primarily a conflict between northern Muslims and southern Christians and animists; in fact, religious differences have been but one aspect of complex regional and historical animosities. Nevertheless, some sensivity on religious issues persists. All religions are permitted full freedom within a secular state, although travel controls were briefly imposed in September on some Christian missionaries in at least one southern area. The major Christian and Muslim holy days are observed as national holidays, and there are both Christian and Koranic schools. A number of other faiths, e.g., Bahai, flourish in Chad. This level of tolerance has remained constant throughout the year.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Although civil strife and the absence of transport severely circumscribed routine travel within the country during most of 1982, the fighting and drought occasioned considerable movement among the population both within Chad and across national borders. On September 28 President Habre announced the guarantee of free movement, but there continued for security reasons to be roadblocks and other controls throughout much of the country. There are no restrictions in principle on foreign travel nor on residence in various parts of the country. However, Chadians are currently required to have a laissez-passer to leave the country. Immigration, mostly from other African countries, takes place routinely. During 1982 many thousands of refugees moved into and out of Chad in response to the changing fortunes of civil strife. By year's end the number of refugees residing abroad had markedly diminished, and repatriates were free from discriminatory treatment. The Government has announced on many occasions that even the leaders of the defeated forces in Chad could return freely, provided they came back as "genuine nationalists" and did not cause further foreign interference in the country's affairs.

e. Freedom to Participate in the Political Process

Under Goukouni, there was no functioning political structure within which political participation could be meaningfully assessed; political questions were most often resolved by force of arms or the threat of it. The new Government is dominated by the personal authority of Hissein Habre. Although President Habre has announced that Chadians will have the right in the future to choose their institutions democratically, the Government established by the FAN was appointed on the basis of rather vaguely described "broad consultations with the national social-political forces." This Government reflects a number of different ethnic, religious, and demographic groupings. Work is expected to begin soon on the elaboration of a constitution.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

There have been no known investigations conducted by national or non-governmental organizations, although in October 1982, Amnesty International reportedly cabled the Government to express pleasure at the release of certain political figures incarcerated by Colonel Kamougue.

The Government has invited the International Committee of the Red Cross (ICRC) to send delegations to visit prisoners and assess nutritional needs in remote areas of the country. The ICRC, which returned to Chad in February 1982, has been able to pursue its tasks even in sensitive areas with the cooperation of the Chadian authorities. To date, no other internal or non-governmental agencies are known to have been active within the country in matters pertaining to the human rights situation in Chad.

4. Economic, Social, and Cultural Situation

After 17 years of strife, frequent drought, and encroaching desertification, the economic situation in Chad is one of the worst in the world. Both the small monetized economy and the predominantly subsistence economy have suffered badly. The per capita Gross National Product estimated at $118.2 in 1980 has undoubtedly dropped, as has the life expectancy at birth estimated for the same year at 40.6 years. Much of the population is kept alive only by emergency international assistance. As the end of 1982 approached, renewed confidence in political stability was eliciting small but growing local private investment to complement the Government's emphasis on reconstruction. There appears to have been little recent discrimination in this country of immensely varied cultural and ethnic groups except insofar as partisan situations presented themselves during the civil strife. The position of women is subordinate, although girls do have an opportunity for education where facilities exist. There is an active women's auxiliary of the Coordinating Council of the FAN, and a woman junior minister was named in October 1982.

The population of 4,591,000 estimated in 1981 is growing at 2.3 percent despite an infant mortality rate of over 148 per 1000 births. The closure of virtually all schools for several years has adversely affected the 15 percent literacy rate noted in 1975. The schools and one of the divisions of the university reopened in the fall of 1982. Widespread famine and malnutrition led to an undetermined number of deaths, as the ratio of caloric supply available for consumption relative to nutritional requirements, considered in 1977 at 74 percent, slipped even lower in 1982.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: CHAD

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	3.8	0.0	6.2
LOANS.............	0.0	0.0	0.0
GRANTS............	3.8	0.0	6.2
A.AID	0.2	0.0	3.7
LOANS.............	0.0	0.0	0.0
GRANTS............	0.2	0.0	3.7
(SEC.SUPP.ASSIST.)...	0.0	0.0	2.8
B.FOOD FOR PEACE.......	3.6	0.0	2.5
LOANS.............	0.0	0.0	0.0
GRANTS............	3.6	0.0	2.5
TITLE I-TOTAL.........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL........	3.6	0.0	2.5
E.RELIEF.EC.DEV & WFP.	2.9	0.0	1.2
VOL.RELIEF AGENCY.....	0.7	0.0	1.3
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS.............	0.0	0.0	0.0
GRANTS............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS.............	0.0	0.0	0.0
GRANTS............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	3.8	0.0	6.2
LOANS.............	0.0	0.0	0.0
GRANTS............	3.8	0.0	6.2
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	1.5	4.1	15.1	245.2
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	59.9
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	15.1	49.1
UNDP	1.5	0.0	0.0	19.8
OTHER-UN	0.0	4.1	0.0	9.6
EEC	0.0	0.0	0.0	106.8

COMOROS*

The period between May 1978 and late 1982 has been marked by the consolidation of the Comoran state under President Ahmed Abdallah. He originally proclaimed independence unilaterally from France in July 1975 but was quickly overthrown by French mercenaries. Ali Soilih was installed in his place and proceeded haphazardly to modernize the Comoros, relying on undisciplined youth who often terrorized society. Soilih openly challenged the dominance of Islam, affronting the population. He burned government archives and fired civil servants. A handful of mercenaries restored Ahmed Abdallah to power in 1978 in a coup that appeared to be widely popular.

A Constitution was adopted by popular referendum on October 1, 1978, and Abdallah, who ran unopposed, was elected President on October 22, 1978. He has continued to rely on mercenaries for his personal security; they command the presidential guard. During 1982, a single ruling party was established: the Comoran Union for Progress. Only one party is permitted by law. Its members swept 37 of 38 seats in the legislature; there were reports of vote manipulation. Opposition candidates who ran as independents criticized the Government openly, however, and have suffered no reprisals. The new parliament amended the Constitution, so that taxes are collected centrally.

Reportedly there no longer are political prisoners in Comoros. The last prominent case to receive attention was that of Ali Soilih's Foreign Minister, Abdallah Mouzaoir, who returned in late 1981 and was arrested; he was pardoned in May 1982. Several members of the Soilih Government as well as persons critical of Abdallah have received important government posts.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Five persons were killed during the May 1978 coup, and Chief of State Ali Soilih was killed in the coup's aftermath under circumstances that are not clear. No further reports have been received of killings for political or other motives by the Government or other political organizations.

b. Disappearance

No disappearances have been alleged in recent years.

c. Torture

While there are no confirmed recent reports of torture of political opponents, it appears that beatings continue to be administered for violation of Islamic law by Muslims, such as breaking the Ramadan fast. The Constitution, which states that it is "inspired by the Universal Declaration of the Rights of Man," does not refer specifically to torture. It does guarantee "the liberty and security of each individual" so long as third parties are not harmed.

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*There is no United States Mission in the Comoros Islands, and the United States has only limited information about the human rights situation there.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Prison conditions are primitive in the Comoros, with prisoners reportedly sleeping on the ground and receiving little if any medical attention. Prisoners depend on their families for food. In discussions of such situations with Comoran officials, they point to the country's extreme poverty which has not permitted the funding of a modern penal system.

e. Arbitrary Arrest and Imprisonment

No prisoners are believed to be held under unusual conditions without trial. A small number of individuals, probably less than 10, were sentenced by civil courts for common law violations including murder during the Ali Soilih regime. All prisoners listed as "prisoners of conscience" by Amnesty International in 1982 are now free.

f. Denial of Fair Public Trial

A special court of justice was established in 1979 to try members of the Ali Soilih regime accused of excesses. Several persons were found guilty by this court but were later pardoned. The court has been disbanded. A state security court established in 1981 tried Abdallah Mouzaoir, a prominent opponent of Abdallah who returned from exile in publicized circumstances in November 1981. The security court found Mouzaoir guilty of endangering state security. He was reportedly sentenced to two years detention. President Abdallah granted a pardon in May 1982, and Mouzaoir resumed his affairs in the Comoros.

g. Invasion of the Home

"The inviolability of the home under the conditions prescribed by the laws of the republic" is guaranteed in the preamble of the Constitution. It is not known whether this is observed in practice.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

There is no press in the Comoros, only a low power, government radio station which does not cover the archipelago. Overseas editions of the French and English language press are expensive but readily available. During the 1982 elections, opponents of the Government criticized it at gatherings.

b. Freedom of Peaceful Assembly and Association

There have been reports of a few instances where the security forces broke up gatherings of students demonstrating against the Government. Some harassment reportedly occurred in connection with elections for National Assembly members in February 1982, but opposition candidates generally campaigned freely. Labor has the right to strike in principle, although this has not been tested in practice.

c. Freedom of Religion

The bedrock strength of Islam in the Comoros is characteristic throughout the islands. This is the state religion, and transgressions by Muslims are punished with short term jail sentences and beatings. Non-Muslims are guaranteed the right to practice their religion under the Constitution, and this right is respected.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Internal travel within the Comoros is logistically difficult, but there are no apparent restrictions. International travel is not hampered.

e. Freedom to Participate in the Political Process

The National Assembly legislated in 1979 that there should be only one political party in the country for a period of 12 years. The Comoran Union for Progress, which is dominated by Abdallah, was established as the sole political party in 1982. It handily won the parliamentary elections, notwithstanding several respected independent challengers who felt they were unfairly deprived of victory. Women play a subservient role in what is an extremely conservative society.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

President Abdallah received an Amnesty International investigative mission in 1981. At the time he released several political prisoners and later released all, including former Interior Minister Salim Hamidi, the subject of a special appeal. Amnesty expressed its concern over the special court of justice established in 1979 to try cases involving political offenses committed during the Soilih Government. This court has now been disbanded. Amnesty also called attention to the new state security court. Subsequent to the Amnesty report, the security court tried and convicted Abdallah Mouzaoir in May 1982 for endangering the security of the state. President Abdallah pardoned Mouzaoir.

4. Economic, Social, and Cultural Situation

The Comoros Islands are one of the world's poorest regions. The lava-encrusted soil is largely unsuited for agriculture, so that most of the Comoros' estimated 400,000 inhabitants scratch out a living from subsistence agriculture and fishing. Agriculture, the primary economic activity, involves more than 80 percent of the population, constitutes 40 percent of the Gross National Product (GNP), and provides virtually all foreign exchange earnings. The principal exports, essential oils, cloves, and vanilla, however, do not provide nearly the revenue needed to cover essential imports. The best available figures show GNP at $240. Malaria ravages the population. Seventy-five percent of births are said to take place in the home. The infant mortality rate is about 90 dead per 1000 live births (1980) and life expectancy at birth is 47 years. The needs for literacy, food, clothing, health, work, and shelter are enormous. Virtually all children between ages four and six undergo Koranic studies in Arabic. Primary enrollment averages 63 percent, with 75 percent for boys and 51 percent for girls. Secondary school figures are 25 percent overall, with 35 percent for boys and 16 percent for girls. The adult literacy rate is about 20 percent. Annual average population growth in 1980 was 2.2 percent. There are only two hospitals and five clinics for the three islands. The Government of the Comoros has turned to France and internanational aid donors for assistance. Extensive progress has been made in the fiscal area, as the country strives to develop a realistic budget and centralize revenue collection. The first economic development plan should be ready for presentation to a Comoros donors group in the spring of 1983.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: COMOROS

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.3	0.4	0.7
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.3	0.4	0.7
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.3	0.4	0.7
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.3	0.4	0.7
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.3	0.4	0.7
E.RELIEF.EC.DEV & WFP.	0.3	0.4	0.7
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS.......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER.............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.3	0.4	0.7
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.3	0.4	0.7
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	24.9	1.4	23.8	56.6
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	5.2	0.0	0.0	10.2
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	13.6	0.0	23.6	37.2
UNDP	6.1	1.2	0.0	8.8
OTHER-UN	0.0	0.2	0.2	0.4
EEC	0.0	0.0	0.0	0.0

CONGO

The Congo became Africa's first avowed "People's Republic" in 1969. As such it is officially a one-party state of Marxist-Leninist political orientation. The Congolese Labor Party is the sole political party allowed by the Constitution. Most power is concentrated in the party and its leaders. Many high party and government officials, including the president, are military officers. The country also has national, regional, and local assemblies, elected from single party-approved lists. Public policy issues are often debated by the assemblies at the local and regional levels before decisions are made at the national level.

The People's Republic of the Congo has a mixed economic system--state and private. Officially socialist, the state has nevertheless allowed a major part of its economy to remain in private hands. The state also encourages private investment in an effort to improve economic conditions. At 50 to 80 percent, the Congo has one of the highest literacy rates in the Third World. Its per capita Gross National Product (GNP) of roughly $730 makes it a middle-income developing country.

From independence in 1960 to 1977, the country experienced repeated periods of political instability often related to regional and ethnic animosities which worsened human rights conditions.

According to the Government, only two political prisoners are under detention, one of whom is former President Joachim Yhomby-Opango. According to Amnesty International, 30 Angolan refugees and 34 Cabindans were being held without charges or trial in 1981.

The country's assemblies at various levels do not make policy but did meet regularly in 1982 and act as sounding boards for popular opinion on a broad range of economic issues. The 120-member National Assembly debates political, social, and economic issues and questions ministers during its two sessions, particularly in regard to economic and budgetary matters. The country's first five-year plan entered into effect in January 1982. Rural agricultural development continues to be a priority of the Government.

The most serious incidents affecting human rights in the Congo during 1982 were two terrorist bombings which killed innocent people in Brazzaville. The origin of the bombings has not been determined. The Congolese Government tightened security measures in response, and freedom of movement was somewhat restricted. Security checkpoints and vehicle searches became common in many areas in Brazzaville. It is not known how many arrests may have been made in connection with the bombings.

Otherwise the general trend of recent years toward increasing observance of human rights and freedoms continued in the Congo. Notably, by the end of 1982 the Congolese had drafted and begun discussion of a new family code to correct injustices affecting family members (see section 4). The Congo also ratified the African Human Rights Charter during the year and sent a delegate to the Human Rights Conference sponsored by the government of Togo and UNESCO in Lome. Constraints on certain individual liberties, however, continued under the Congo's present political system.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Bombings of unknown origin in March and July 1982 caused the deaths of approximately a dozen innocent people in Brazzaville in a movie theater and at the airport. Many others were injured. A telephone call to Agence France Presse in Paris attributed the theater bombing to "The Congolese Armed Patriotic Group," presumably a creation of Congolese exiles. No group in the Congo, however, has claimed responsibility. The Congo does not have a history of violent acts of this nature, and President Sassou-Nguesso has denounced these incidents publicly in strong terms.

b. Disappearance

There is no evidence of persons being abducted, secretly arrested, or held in clandestine detention in the Congo.

c. Torture

The Constitution guarantees the inviolability of the person and makes the state responsible for the respect and protection of the individual. There have been rumors of harsh questioning of persons arrested and detained in connection with the bombings, cited above, but they have not been substantiated.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

It is not uncommon in the Congo for the public or police to beat thieves caught in the act. Nor is it uncommon to see security officials at the port striking individuals for apparently trying to bypass controls or formalities. There have also been cases of militiamen harassing Congolese, and occasionally foreigners, for money, cigarettes, and the like. Amnesty International reports that six persons convicted of murder were sentenced to death in the Congo in 1981, but it is not known whether they were actually executed. Amnesty International also reports that five Cabindans died in detention in the Congo.

Prison conditions in general are poor, and prisoners often lack adequate food and health care. Food is therefore usually brought to inmates by relatives. There have been revisions in penal legislation, and the courts continue to examine ways to improve service to the public. However, no funds have been provided in the five-year plan for the improvement of prisons.

e. Arbitrary Arrest and Imprisonment

The Constitution guarantees protection against arbitrary indictment, arrest, and detention, but in practice a warrant is not required to make arrests. There is a habeas corpus provision, but it is not always honored. Congolese law allows for detention without charge for up to five days, but in cases involving the security of the state one can be held longer. Former President Yhomby-Opango, who was accused of corruption and deviation from party directives, has been under detention since March 1979 in accordance with a resolution of the Third Extraordinary Congress of the Congolese Labor Party. He has not been tried in the courts. Amnesty International in its 1982 report expressed concern for 35 political detainees.

Amnesty International has also reported that in June 1981 it was told the Congo was still holding without formal charges or trial 34 Cabindans of an original 100 suspected of having been involved in a 1977 attack on the rail line (see section 3 below).

f. Denial of Fair Public Trial

By law, the right to fair and public trial exists in all cases, but this is not always respected in practice. The legal system is not insulated from political interference. However, nearly all cases tried in the Congo are not political, and defendants are assured of counsel in all circumstances, including cases litigated in military courts. Trial procedures are similar to those in other states with a legal system based on the Napoleonic Code. The Constitution provides for a supreme court and other lower courts. The supreme court, the highest court in the country, rules on the constitutionality of laws passed and controls the jurisdictional activities of the lower courts and tribunals. The Congolese judiciary is well-trained and highly professional.

g. Invasion of the Home

The Constitution declares that the home is inviolable. The law requires a warrant to search a house. The law is not always adhered to in practice, but there were no reports in 1982 of widespread abuses, despite the emergency created by the bombings.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Constitution provides for "freedom of expression, press, association, processions, and demonstrations under conditions prescribed by law." As a matter of official policy, these individual liberties are restricted. The state censorship board regularly reviews the contents of newspapers, movies, books, and records, mostly of foreign origin. Publications are normally censored if they contain articles which are critical of the Congo, are contrary to the image the Congo wishes to project either internally or externally, or judged to be contrary to social welfare. In one case in 1982 a recording of a Congolese song was questioned because it was considered detrimental to family values. Continued sale of the record was allowed but its broadcast on Congolese radio was banned. The Government does allow some internal criticism of its policies, but normally in less sensitive areas such as health and agriculture. There is also criticism in newspaper letter columns of the conduct of some public bureaucrats.

Many Congolese are writers, playwrights, poets, painters, etc., whose themes often reflect various aspects of Congolese life, both positive and negative. The intelligentsia is not generally harassed. The state owns and controls the media, except for one church newspaper, and tends to follow a Marxist editorial policy. News reports in the government-owned media come from a variety of sources, including several foreign press agencies and French satellite feeds. Foreign journalists are permitted to visit the Congo and are given appointments to meet with various officials. Although several foreign journalists have been called to the state security office to explain the purpose of their visit to the Congo, their work has not been impeded. There have been no confirmed reports of systematic government wiretapping or mail censorship.

b. Freedom of Peaceful Assembly and Association

The right to peaceful assembly is limited by the state's perceived self-interest. The Congolese Trade Union Confederation represents workers, but, as an appendage of the state, is prohibited from striking. Wildcat strikes, however, do occur with relative impunity. Unions have been effective within the government framework in expressing the desires and grievances of workers and achieving considerable change. The unions play a key role in the political process. The Congo has not forgotten that it was unionized workers who were instrumental in bringing down the Government of President Youlou in 1963 when he paid insufficient attention to their concerns. Workers have been effective in persuading the Government to provide transportation to and from work, cafeteria facilities at some ministries and agencies, vacation time and pay, travel and housing, etc.

c. Freedom of Religion

Freedom of religion is guaranteed by law and honored in practice. Catholic and Protestant churches, including the Salvation Army and the Kimbanguist and Matsouanist churches, are active in the Congo. Many of these churches run clinics in rural areas. The Catholic Church just recently commemorated the 100th anniversary of evangelism in the Congo, an event which was given official television coverage. During Pope John Paul II's historic visit to the Congo in May 1980, the Pope and President Sassou-Nguesso jointly reaffirmed the principles of freedom of religion and church/state separation. There were no reports of serious ethnic or religious discrimination in 1982.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Congolese Government does not restrict the internal movement of Congolese citizens, although identification cards may be checked. As noted above, movements in Brazzaville are more closely checked as a result of two terrorist bombings. Military personnel movements are restricted both internally and externally. Congolese citizens who wish to travel abroad require exit authorization from the office of state security; in most cases this is a difficult process. In addition, government employees traveling abroad must obtain an "ordre de mission" from the appropriate government component. Passports, when issued, must be returned to and held by state security after the traveler's return to the Congo. The Constitution accords asylum rights to persons persecuted because of "democracy, national liberation, freedom, scientific and cultural work, or defense of the rights of the working classes." The Congo is the home of numerous exiles and refugees, mostly from surrounding central African states. Most refugees, including some Zairians, are permitted to travel to other countries under the auspices of the United Nations High Commissioner for Refugees. Amnesty International reports that in 1981 more than 30 Angolan refugees had been detained in the Congo without charge or trial since 1977.

e. Freedom to Participate in the Political Process

Political power is centralized in the sole political party, the Marxist-Leninist Congolese Labor Party which determines opportunities for participation in the political process. No other political parties are permitted to operate. The Congolese Labor Party membership, which presently numbers approximately 7,000, is highly controlled on the basis of loyalty and performance. Theoretically, the PCT Party Congress is the supreme party organ and elects the 60-member Central Committee and the president. The Congress meets every five years. Although never referred to in the Constitution, the Political Bureau is elected by and from the Central Committee and acts as the premier policy-making body in the polity. The decisions of the Political Bureau are binding on all other state and party organizations, and if the existing president were incapacitated he would be replaced, according to the Constitution, by the Political Bureau from among its own members. The elections for local and regional organs and the National Assembly which were held in July 1979 were the first elections in the Congo since June 1973.

The party president, elected for five years, is also president of the republic, chief of state, and president of the Council of Ministers. The Council of Ministers is the highest executive organ of the state and consists of the president, the prime minister, and the other ministers.

As there are no democratic elections involving more than one candidate or political party, opportunities for political involvement are limited to the PCT, including the national, regional and local assemblies and the "mass" and "elite" organizations. The National Assembly meets twice yearly with each session limited to a maximum of two months.

"Mass" and "elite" organizations, which are party appendages, include the Revolutionary Union of Congolese Women (URFC) and the Union of Socialist Youth of the Congo. Membership requirements in the UJSC are as strict as those of the PCT parent party. Other parties or opposition groups are not permitted.

Under the Constitution, women have the same rights as men in the private, political, and social domains, and for equal work they are entitled to the same social welfare rights. There is a disparity, however, between salaries for men and women, and women are relegated to a secondary role in society. Although no women are ministers or members of the Political Bureau at present, women occupy senior government and party positions such as counselor to the president. Only one of the 60 members of the party's Central Committee is a woman. The 120-member National Assembly includes 12 women, one of whom is assembly vice president. A woman is appellate court counselor, and another a judge in the appeals court. There are approximately eleven other women holding high positions in the courts. One Congolese embassy is headed by a female ambassador. Although there were few long-term results evident in 1982, the URFC continued its program to improve the lot of Congolese women through education, economic activities, and literacy. In secondary schools increasing numbers of young women are enrolled in technical courses, and university attendance among women continues to rise.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Congolese Government has demonstrated its willingness to listen and respond to human rights inquiries on a case-by-case basis. President Sassou granted in 1979 a widespread amnesty which affected several political detainees listed by Amnesty International. In its 1982 report, that organization continued to express concern for the detention without trial of former President Yhomby-Opango and three of his associates since 1979. Amnesty International reported separately in 1982 that more than 30 Angolan refugees were detained without charge or trial since 1977 and that five reportedly had died in detention. Some 100 Cabindans reportedly held by Congolese authorities were believed to have been released following queries by the organization. In 1980, the International Committee of the Red Cross was permitted to inspect local prisons. In July 1982, however, President Sassou said that his Government would not heed protests of outside organizations regarding treatment of the perpetrators of the Brazzaville bombings, once caught.

4. Economic, Social, and Cultural Situation

In 1982, the Congolese economy marked its fifth consecutive year of strong economic growth, spurred by petroleum revenues. Increased output in the oil sector, combined with the fall of the French franc relative to the dollar improved the Congo's foreign reserve position. Construction, transport, and forestry all posted gains during 1981, while agricultural production in general barely maintained 1980 levels. Structural bottlenecks continue to hinder economic growth, and nearly 30 percent of the funds allocated for the Congolese five-year plan (1982-86) will be devoted to dealing with infrastructure, particularly in the transport sector.

The state enterprise sector did not appreciably improve its performance over 1981 and remains a drain on the economy.

The state enterprise system, intended to transfer the means of production out of expatriate (largely French) hands, has imposed a heavy burden of inefficiency on the Congolese economy. As a result, despite the Government's Marxist-Leninist professions, a sizeable private sector still flourishes in the Congo, with a predominant input from expatriates.

The Congo's per capita GNP, in 1980 put at $730, places the Congo above many other developing nations. The underpinning for this relatively high income level, as for virtually all vitality in the Congolese economy, is petroleum, which in 1982 accounted for 70 percent of the Government's revenues and nearly 60 percent of GNP. The combination of private enterprise and petroleum earnings has carried the Congolese economy to a major recovery since 1979 and enabled the Government to reduce its balance of payments deficit of $192 million in 1979 to $142 million in 1980. In addition, the Congo receives development assistance from France, the USSR, China, the U.S. and a dozen other bilateral and multilateral sources with both capitalist and communist alignments.

The onrush of oil revenues tends to obscure structural imbalances in the economy. Although major pockets of relative prosperity can be found, some sectors of the economy and regions of the country lag markedly behind. One estimate gives rural agricultural income as $130 per capita annually. Income distribution data do not exist. In urban areas, the Congo's oil wealth is distributed widely though unevenly, entering the economy largely as civil service salaries and spreading through an informal welfare network based on extended family ties.

The concentration of 70 percent of the nation's population in Brazzaville, Pointe Noire, and along the rail line connecting them has eased somewhat the task of delivering social services. The Government has made a commitment to improve and expand health care throughout the country, a policy underscored by the five percent budget share of the health ministry (fourth among all ministries). Life expectancy, currently 59.3 years at birth, has been rising nationally, but is probably lower outside urban centers.

A similar urban/rural dichotomy exists with regard to infant mortality. Mothers in cities have access to clinics with at least some medications and equipment, as well as trained professional staff. Medical care is much more limited in some areas of the countryside. Nationwide, the infant mortality rate is 129.3 per thousand live births. While the annual population growth rate has accelerated from 2.1 percent in the 1970's to 2.6 percent in 1980, the Congo with only 1.6 million inhabitants, does not face an overpopulation problem. It is concerned, however, with problems that derive from non-planning of families and offers family planning and child spacing information services in urban maternal and child care centers.

Despite the lack of an agricultural tradition and an absence of rural infrastructure, the Congo has been spared serious nutritional deficiencies, largely due to the relative fertility of the soil. About 103 percent of the calories required for proper nutrition are available, although some shortage of protein exists in the national diet, owing to the heavy consumption of manioc (cassava), the staple food. Provision of safe drinking water has been a problem in both urban and rural areas, and only about 38 percent of the population has consistent access. The Government has vowed to provide safe drinking water throughout the country.

The Congo, which devoted 15.8 percent of its 1982 operating budget to education, has had notable success in maintaining the high level of literacy (over 50 percent and, by some accounts, close to 80 percent) the country inherited from the colonial period. There are primary schools all over the country, and adjusted primary enrollment (including adult enrollment) is over 156 percent of the school-age population in the cities. The figure drops off in the countryside. The Government encourages parents to send their children to school. University enrollment has drastically increased, and in 1982 the Government acknowledged that it had far too many applicants for available university scholarships.

A new family code has been drafted relative to the rights of family members. It is designed to put an end to social injustices deriving from traditional customs and practices. The code, for example, will provide for the protection of widows, establish more equitable rules for inheritance, and strengthen the rights of women. It will be introduced to the National Assembly, probably in 1983.

Despite long cultural ties to Franc, many norms of traditional African society remain strong. For example, those who have access to funds are expected to share their income with family members. The consequent diffusion of resources has a profound effect on the economy and society. Polygamy is legal and widespread in the Congo, but the pressures of urbanization and modernization induce most couples to opt for monogamy.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: CONGO, REP. OF	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	1.0	2.3	3.4
LOANS...............	0.0	0.0	1.9
GRANTS..............	1.0	2.3	1.5
A.AID	0.2	2.0	1.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.2	2.0	1.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.8	0.3	2.4
LOANS...............	0.0	0.0	1.9
GRANTS..............	0.8	0.3	0.5
TITLE I-TOTAL..........	0.0	0.0	1.9
REPAY. IN $-LOANS.....	0.0	0.0	1.9
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.8	0.3	0.5
E.RELIEF.EC.DEV & WFP.	0.8	0.3	0.5
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	1.0	2.3	3.4
LOANS...............	0.0	0.0	1.9
GRANTS..............	1.0	2.3	1.5
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	45.1	6.7	0.2	273.6
IBRD	0.0	0.0	0.0	76.0
IFC	0.0	3.5	0.2	3.7
IDA	35.0	0.0	0.0	57.2
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	9.7	0.0	0.0	33.7
UNDP	0.1	3.0	0.0	21.2
OTHER-UN	0.3	0.2	0.0	2.2
EEC	0.0	0.0	0.0	79.6

DJIBOUTI

Djibouti is one of Africa's newest independent states. Following legislation passed in late 1981 effectively outlawing opposition political parties, Djibouti formally became a one-party state under the ruling Popular Assembly Party. All legal political expression can now only be through the party. Shortly before Djibouti became a one-party state, 13 dissidents were imprisoned for attempting to found an opposition party, the Popular Party of Djibouti. All were released by early 1982. One of those dissidents and another suspected opposition party leader were detained again briefly in October 1982, following their appearance in a French television program critical of the Government of Djibouti.

In May 1982, elections for the National Assembly were held, and the single slate of candidates that appeared on the ballot was elected without opposition. There were charges, however, of manipulation of the voter registration rolls to reduce representation from areas of potential opposition.

Politically the country is divided among: (1) the ethnic Somalis, who have a slight majority in the population and in turn are subdivided into clans and factions thereof; (2) a strong minority of Afars, who have lost their previous position of dominance and now fear permanent exclusion from power; and (3) Arabs, mainly Yemenis.

Nominally, political power is shared by an arrangement in which the President is Somali and the Premier an Afar, with cabinet positions roughly divided equally. Afar leaders and some others feel that real power is nevertheless in the hands of the Somalis of the Issa clan, who increasingly control the Government, the civil service, the armed forces, and the party, making it difficult for others to gain a share of power.

Despite its meager resources, Djibouti has continued to host some 30,000 refugees from Ethiopia and Somalia and allow international relief agencies to operate in refugee camps. The Government has generally treated refugees well and in compliance with accepted international norms; Djibouti is a party to both the 1951 Convention and the 1967 Protocols relating to the status of refugees. In February 1982, however, the Government forcibly returned to Ethiopia at least 35 legitimate refugees after a roundup of illegal immigrants. After protests by the United States and other Governments and the UN High Commission for Refugees, the Government agreed to stop this practice, and it has not been repeated.

The Djiboutian legal system is still in its formative stages. No further sections of the first Constitution for Djibouti, the first parts of which were introduced in 1981, have been issued. On any topic not yet covered by Djiboutian legislation, the Napoleonic code, a product of the French colonial period, and, to an extent, the Koran-based Sharia, generally apply. There have been several allegations of both harassment of political opposition leaders and torture of political opponents. There was an independent confirmation of these charges in 1980, followed by a commitment by Djibouti's President Hassan Gouled to eliminate this practice.

Djibouti has no known exploitable resources. It has a service-oriented economy based on its port, airport, and the rail line to Ethiopia. The major focus of its Government is on economic development. The latter is intrinsically tied to economic assistance from other countries. Unemployment and underemployment remain major problems.

In both the short and long term, the human rights situation will continue much as at present, with a general respect for international standards of conduct within the framework of a one-party state.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There has been only one incident of killing for apparent political motives since Djibouti became independent in 1977; in December 1981 the reputed leader of a Somali dissident group was assassinated in Djibouti City. The Djiboutian Government subsequently arrested several individuals for their role in the killing. The Government seems willing and able to prevent or punish killings by security, military, or political forces under its control.

b. Disappearance

No allegations of disappearances are known to have been made.

c. Torture

On September 8, 1982, in a television program produced in France entitled "Djibouti: Republic in Uniform," former Prime Minister Ahmed Dini reiterated charges he and others had made several times in past years that political prisoners were being systematically tortured in Djibouti. In the past the Government had denied such charges, but in 1980 a delegate from Amnesty International visited Djibouti by Government invitation to investigate charges of torture and death from torture. The delegate reported a pattern of torture in security and politically motivated cases. He met with President Hassan Gouled to discuss the situation, and received assurances that the president would undertake to eliminate the use of torture. Other than the allegations mentioned in the above-mentioned program, there were no reports of torture in 1982.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

There were no allegations of cruel, inhuman, or degrading treatment or punishment in 1982, aside from the charges of torture made in the French television program. Prison conditions are said to be adequate. Family members and counsel are permitted access to prisoners, and public health and medical services supervise health conditions in a generally competent manner.

e. Arbitrary Arrest and Imprisonment

The current system of justice is a carry-over from the French colonial period and is a mixture of French and Islamic practice. There is no habeas corpus, and preventive detention is permitted. However, prosecutors are required to, and generally do, file charges in an expedient fashion. The most recent major example of arbitrary arrest and imprisonment was the detention of 13 political dissidents in 1981. All were released by early 1982, but in October 1982 one of these dissidents and another suspected supporter were detained briefly following their appearance in the French television program discussed in Section 1c.

f. Denial of Fair Public Trial

Both the state security court, which was established to deal with crimes against the security of the state, and ordinary civil and criminal courts permit family members and counsel, though not the general public, to be present during trials. The judiciary is generally independent of military and executive pressures.

g. Invasion of the Home

The judiciary issues search warrants to the police. There have been no charges of warrantless searches during 1982. During 1981 there were charges of warrantless searches stemming from the detention of the 13 political dissidents.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

All Djiboutian media are Government-owned and support the Government and its policies. There is occasional criticism of the shortcomings of local institutions and corrupt practices. There have been removals from public distribution of foreign media which contained commentary critical of the Government. Whereas political opponents were imprisoned in 1981 for making anti-Government remarks and attempting to form an opposition party, they were all released by early 1982. Subsequently, one of them has reiterated these remarks on French television, and still is free from detention at the present time.

b. Freedom of Peaceful Assembly and Association

Public meetings require a permit that may be denied for security reasons. The Government has organized a national labor federation under its control. However, the right of labor to organize and strike is respected. There were some minor strikes in 1982. Only a small portion of the work force is unionized. Unions are able to maintain relations with recognized international bodies in their fields.

c. Freedom of Religion

Over 90 percent of the population is Muslim, but all religions are permitted to operate freely.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Djiboutians have and exercise the right to travel freely within, and to leave and return to their country. Passports are available, but charges have been made that bribes are sometimes required to expedite issuance. In spite of its weak economy and meager resources, Djibouti has received approximately 30,000 refugees, mostly Ethiopian, into the country, and has allowed international relief agencies to operate in the two major refugee camps. All refugees have the right to live in the refugee camps and to receive basic food and medical care. Refugees are generally restricted to their camps and do not seem to be permitted to move freely.

In February 1982, following a series of roundups of alleged illegal immigrants, approximately 35 refugees were deported to Ethiopia. The Djiboutian Government claimed at the time that the deportation was an attempt to rid the country of illegal aliens posing as legitimate refugees. However, almost half of those deported were in fact legitimate refugees, who at the time could only provide photo copies of their refugee identity cards to the police. During the same period, approximately 100 Somali citizens without legal documentation were taken to that nation's borders. When they were not accepted by Somali authorities, however, they were permitted to return. Protests were made by the UNHCR concerning the forcible repatriation of the Ethiopian refugees, some of whom later returned to Djibouti without incident. The Government's current policy is to encourage all refugees to move to refugee camps in the short term, and in the long term to return to their country of origin.

e. Freedom to Participate in the Political Process

Political participation is legally possible only through the sole legal party, the RPP. President Gouled holds effective power within both the party and the Government. In August 1981 an opposition party attempted to gain legal recognition to participate in National Assembly elections scheduled for May 1982. Despite extensive publicity in the international press, the Government refused to grant the proposed party legal recognition and took steps to institute a single party political system. Later, 13 leaders of the opposition group were detained, with the Government maintaining these dissidents were attempting to encourage inter-ethnic strife which would have torn the country apart. The Government's actions led to charges that there is no democratic or non-violent means of opposition for those who oppose the present Government. These charges were echoed before the National Assembly elections in May 1982, when opponents of the Government charged it had manipulated voting district registration rolls to reduce the influence of regions where the dissidents were strong. Over 90 percent of the reported registered voters voted in the May elections, with less than two percent submitting a blank paper or writing the word "no" on the ballot. There were reports of minor scattered violence on election day, as well as some coercion of voters.

Traditionally the Djiboutian Government has attempted, usually successfully, to include in the ruling cabinet representatives of all of the nation's important ethnic groups. At present there are no significant minority groups not represented in the Government or denied a political role within the limits of the current political system. However, the Afars, and some other critics, complain that the country is run by and for the Somali Issas, who dominate the Government, the armed forces, and the single party.

Women legally have equal political rights with men, but have not played an active role in politics. There are currently no female parliamentarians or senior Government officials.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

On at least five occasions since independence, most recently in September 1982, there have been foreign press reports alleging human rights violations by the Government. The only known request by an international organization to conduct a human rights investigation came from the United Nations High Commissioner for Refugees in 1981. The Government cooperated with a delegate from Amnesty International who visited Djibouti in 1981 to investigate charges of torture and death from torture. The results of his visit are described in Section 1c above. Amnesty International was also concerned about detention, without charge or trial, of political prisoners.

4. Economic, Social, and Cultural Situation

Djibouti is one of the world's least developed countries and is almost totally lacking in natural resources. It is heavily dependent on the maintenance of a large French military and expatriate presence and outside donor support, mainly from France and Saudi Arabia, for its economic development. This support is directed toward many aspects of the economy, including education and health facilities, and is designed to ameliorate the high poverty level in the country. Since there has not been a census since 1961 in Djibouti, it is difficult to establish a useful data base from which meaningful statistics can be derived.

The harsh, hot environment in the Republic of Djibouti is one of the causes of the low life expectancy of 50 years (1973 statistics) and the high infant mortality rate (variously estimated as between 32 and 114 per 1,000). There is almost no viable agricultural potential, and the only large-scale source of locally-produced food is fish. The Government has encouraged the population to supplement their diets with fish, and this program has met with some success. There are no figures available on the amount of calorie supply relative to nutritional requirements, but estimates are lower than 100 percent.

Water is a scarce commodity in most of the country, and there are no surface water sources. The Government has made efforts to truck water to the more remote areas of the country. An African Development Fund study of September 1979 estimated 41 percent of the population received safe water (53 percent in urban areas, 20 percent in rural areas). Active assistance efforts to identify and to utilize further water source and storage areas are currently under way.

According to a November 1980 World Bank report, the adult literacy rate in the French language was 17 percent. The primary school enrollment was approximately 20,000 in 1982, an increase of 300 percent since independence in 1977. The high school enrollment has increased from 3,000 to 8,000 during the same period. This increase, with a concomitant rise in the number and quality of educational facilities, reflects the high priority the Djiboutian Government gives to education.

According to World Bank figures of 1980, the gross national product of Djibouti is $480 per capita. This figure is misleading, however, given the very high poverty levels in much of the country and the large, well-paid, predominantly French expatriate community, some three percent of the total estimated population of 365,000.

Almost one-third of the population lives a nomadic life of abject poverty in the rural hinterlands of the republic. A United Nations Development Program report of 1980 states that the Djibouti rural population is "probably one of the poorest groups in eastern Africa." The same report notes that "extreme poverty exists in urban environments of Djibouti." Two factors other than the near total lack of natural resources or economic potential contribute significantly to the poverty level: First, practically all commodities are imported for consumption, and prices of even basic staples are extraordinarily high for most of the non-expatriate population. Second, there is a high level of unemployment. A French study of 1980 estimated that 47 percent of the population earned less than $85 per annum.

The latest available International Monetary Fund report (1980) confirms Djibouti Ministry of Labor statistics on unemployment, showing that more than 50 percent of those seeking employment in

1979 could not find work. In 1981 the US Agency for International Development estimated unemployment at 33 percent and underemployment at 50 percent.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: DJIBOUTI, DEMOCRATIC REPUBLIC OF

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	1.9	5.3	3.7
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.9	5.3	3.7
A.AID	1.1	4.2	2.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.1	4.2	2.0
(SEC.SUPP.ASSIST.)...	0.0	2.0	2.0
B.FOOD FOR PEACE.......	0.8	1.1	1.7
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.8	1.1	1.7
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.8	1.1	1.7
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.8	1.1	1.7
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.1
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.1
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.1
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	1.9	5.3	3.8
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.9	5.3	3.8
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.2	1.6	0.0	2.9
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	1.6	0.0	2.5
OTHER-UN	0.2	0.0	0.0	0.4
EEC	0.0	0.0	0.0	0.0

EQUATORIAL GUINEA

Since the overthrow of the oppressive Macias dictatorship in 1979, Equatorial Guinea has had a military Government which has under taken steps toward increased civilian participation in the Government. During the past year, a draft Constitution was submitted to the electorate and approved overwhelmingly. At the same time, President Teodoro Obiang Nguema, nephew of former President Macias, was reconfirmed as President for a seven-year term. In October 1982, under the new Constitution, the Supreme Military Council was dissolved and a reorganized civilian Government was named.

The current President was instrumental in 1979 in overthrowing the brutal Macias regime. The nation has subsequently been faced with enormous tasks of economic, social, and administrative reconstruction.

Equatorial Guineans today are not subject to the terror and oppression that they knew under the Macias regime. After the overthrow of Macias, the new Government stated its commitment to human rights, the principles of international law, and the charters of the United Nations and the Organization of African Unity. In addition, the Government announced its compliance with principles of physical integrity and the inviolability of all Guinean citizens, as well as opposition to slavery, torture, degrading treatment, and political imprisonment.

In practice, abuses of the person have greatly declined since Macias' overthrow, but political and civil rights are still severely curtailed, although efforts to improve civil control have begun.

The adoption of the new Constitution, which guarantees the right "to freely express thoughts, ideas, and opinions", as well as the right to run for political office, has yet to affect the political process. Its provision for freedom of association has been defined by the President as embracing the formation of political parties. However, the election for the country's first parliament since 1968 has not yet taken place.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

The Government has committed itself to maintaining the "physical integrity of persons" and "the inviolability of all Guinean citizens." As far as is known, there were no political killings by the Government, or by government-inspired or opposition groups in 1982. In June 1981 at least 24 military personnel and civilians were tried for plotting against the Government, and one was executed. The reasons were primarily political.

b. Disappearance

No information has been received that secret arrests and detentions continue in Equatorial Guinea, as practiced by the Macias regime. There have been isolated reports of arrests without a warrant.

c. Torture

There is no reliable information that torture, consistently used by the former regime, is still practiced, although there are threats of physical reprisals made at times by low-level officials.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Exile groups have charged that inmates at the prison in Malabo are mistreated, but these reports have not been substantiated. Living conditions and sanitary facilities there are adequate.

e. Arbitrary Arrest and Imprisonment

Although there are occasional reports of arbitrary arrests, including preventive detention, usually at the instance of low- or mid-level officials, there are no indications that the Government condones or systematically indulges in these practices. While habeas corpus does not exist in practice, some officials have been punished for engaging in arbitrary arrests, and the Government has indicated that it is striving to correct abuses at all levels.

The above is not true of detentions to provide compulsory labor. About every three months the Equatorial Guinea military rounds up "vagrants" and buses them to cocoa plantations to work the crop. The round-ups are government-sanctioned, and may be motivated by a desire to limit vagrancy and encourage gainful employment. However, some gainfully employed individuals who are impressed have said that it took up to a week to be freed.

f. Denial of Fair Public Trial

There have been no reports of trial denied to accused persons. The current court system in Equatorial Guinea appears to be a combination of traditional, civil, and military justice, in which the modern civil component dominates. It is unclear how this court system will operate under the new Constitution, because although the Constitution establishes a court system, it does not describe in detail its structure or the rules governing it. Amnesty International indicates trials probably have not been fair.

g. Invasion of the Home

The 1982 Constitution provides that a house may be entered without the permission of the inhabitant only after a warrant has been issued, but it is not clear whether this provision will be honored in practice.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Constitution guarantees the right "to freely communicate or receive truthful information by whatever means of diffusion". However, freedom of speech and of the press do not exist in practice. The Government owns and operates the radio and television stations in Equatorial Guinea and clearly prefers to maintain its monopoly in this regard.

The officially-controlled media do not offer criticism of the Government. In 1981 certain Spanish publications were banned for negative reporting, but the ban was lifted in a few weeks, and the climate for foreign published material now appears good. Dissent is rarely heard from the general public, but this may be due as much to reticence remaining from the Macias days as to fear of punishment from the present Government. Direct public criticism of Government policy or personalities is not permitted.

b. Freedom of Peaceful Assembly and Association

The Constitution makes no mention of unions, but does prohibit strikes injurious to the public interest. It is doubtful that strikes have been attempted, and there have been no attempts to organize labor unions in recent years. Given the country's miniscule industrial and disorganized agricultural sectors, little scope for labor union activity exists. A possible exception would be the civil service, which is small and only recently reconstituted.

The Government does not permit political organizations outside of its control to function. Non-political groups, such as professional associations and sports groups, are permitted.

c. Freedom of Religion

The Constitution guarantees freedom of worship, but qualifies this right with a duty to contain religious practice within limitations prescribed by unspecified laws for the good of national security, public order and morals. Catholicism dominates, but other churches and foreign missions also operate in Equatorial Guinea. With the exception of one instance in which the Government threatened expulsion of a foreigner said to be fomenting a schism in the Reformed Church of Equatorial Guinea, the Government has not interfered in the internal affairs of the churches.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

There are no known restrictions on Equatorial Guineans with regard to travel within the country. Travel abroad is limited by the shortage of foreign exchange. There have been reports of delays in the granting of exit visas, but these do not seem to be politically motivated. In 1979 the Government invited exiles to return without fear of retaliation for having abandoned Equatorial Guinea. Some anti-regime exiles continue to reside in Spain, but Guineans in large numbers no longer seek refuge outside of the country. There are no foreign refugees known to have sought asylum in Equatorial Guinea.

e. Freedom to Participate in the Political Process

Although the Government in October 1982 announced the dissolution of the Supreme Military Council and a reorganized government a majority of whose members are civilians, not military officers, the Government remains authoritarian in character, with political power centered in the Presidency. Elections for a House of Representatives envisaged in the 1982 Constitution have not been scheduled, and no separate political parties have been permitted to organize, although the President has made public commitments to the idea of the establishment of political parties. Both the country's ethnic groups are represented, in the Government but there is de facto discrimination in favor of the Fang group, which has historically ruled Equatorial Guinea. The President, in consultation with his close advisors, chose the new Cabinet members.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

From 1979 to the present the Government has cooperated with the United Nations Commission on Human Rights (UNHRC) with respect to the restoration of civil and political liberties. Two UNHCR representatives reviewed and provided the Government with advice with respect to the new Constitution. Amnesty International remains concerned about detention without charge and the unfair conduct of political trials. The Government has repeatedly ignored Amnesty's requests for information on political trials.

4. Economic, Social, and Cultural Situation

During the eleven-year period following independence in 1968, Equatorial Guinea's once prosperous colonial economy was progressively weakened by mismanagement to the point of collapse. Some have estimated that approximately one-sixth of the population was killed by the Macias regime (including much of the economic elite). Although progress at reconstruction has been made since the revolution, Equatorial Guinea's economy is still weak, and most of the population is very poor. The size of the population was estimated in 1981 at 354,000 with a growth rate of 2.3 percent. GNP per capita was $330 dollars in 1979. Life expectancy at birth is 47.1 years, and the infant mortality rate is about 143 per 1000.

There are no sources of water in Equatorial Guinea that can be considered safe for drinking without treatment or boiling.

No statistics are available on primary school enrollment or on the adult literacy rate. Education was interrupted for six years during the Macias regime, and many teachers were killed or went into exile. Primary education has only recently been reorganized. Classes are now run by about 700 unevenly educated teachers who teach classes that include pupils from age 6 to 18 in the same grade. This system probably reaches most of the school age population. UNESCO is assisting the Government with on-the-job teacher training and reestablishment of the primary school system.

Although no statistics are available on the percentages of the population living below the absolute poverty level, the number living at the subsistence level is certainly very high. The food supply is small and food is expensive, making adequate nutrition a problem. Most people have enough to eat, but many suffer from protein deficiencies.

The right to own property alone as well as in association with others is guaranteed in the Constitution, but this guaranty is subject to limitations also mentioned but unspecified in the Constitution. There has been one report of refusal or delay in the return of private property confiscated by the Government during the Macias regime and now held by the current Government. Nevertheless, the Government strongly proclaims its recognition of property rights and its commitment to developing a free market economy.

Although stated government objectives include the fair treatment of all races and tribes, there is traditional tension between the Fang ethnic group, of which the great majority of government officials are members, and the other tribes within the territory. There have been reports of discrimination and tribally-based mistreatment. The tension is especially evident on the island on which Malabo is located, since this was traditional Bubi tribe territory before the Fang moved there from the continent at the beginning of this century. As part of its stated goal of integrating the different peoples into national life, the Government has included some members of the Bubi and other tribes in high-level government positions.

The 1982 Constitution guarantees all women, whether single or married, equality before the law, and also guarantees equality of opportunity. There is a ministry for the promotion of women's rights. Several women occupy important government posts, although not in proportion to their number within the population.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: EQUATORIAL GUINEA, REPUBLIC OF

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	1.0	0.3
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	1.0	0.3
A.AID	0.0	1.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	1.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.3
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.3
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.3
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.3
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	1.0	0.3
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	1.0	0.3
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.4	0.8	8.2	11.4
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	8.2	8.2
UNDP	0.4	0.8	0.0	3.2
OTHER-UN	0.0	0.0	0.0	0.0
EEC	0.0	0.0	0.0	0.0

ETHIOPIA

Prior to the 1974 revolution, Ethiopia was a feudal empire ruled by Emperor Haile Selassie with the aid of aristocratic land owners. Now an avowedly Marxist-Leninist state, it is ruled by a military government headed by Chairman Mengistu Haile-Mariam, who consolidated his power in 1977. There are no civil and political freedoms, nor is there legal protection against human rights abuses.

The legitimacy of the Provisional Military Government of Socialist Ethiopia is not accepted by certain elements among the country's constituent ethnic groups. There are insurgency movements of greater or lesser size among the Eritreans, Tigreans, Oromos (Gallas), Sidamos, and ethnic Somalis. The Government's 1976 promise of greater regional autonomy to ethnic groups has not been fulfilled. Its continued efforts to suppress the insurgents have given rise to persistent human rights violations. The insurgents, however, also engage in violence and commit violations. Ethiopia's ethnic insurgencies have historic roots. Sustained opposition and conflict began in Eritrea in 1960 when Emperor Haile Selassie manipulated the abolition of its autonomous status.

Ethiopia remains one of the world's least developed countries. The Government has declared its commitment to improved living conditions and to the economic progress of the majority. It is currently expending considerable effort on a nation-wide program to promote literacy for which it was awarded an international prize by UNESCO in 1982. The Government also has under way a nationwide health education campaign. It has further sought to make secondary and university education available to broader numbers of people. Achievement of government goals, however, has been seriously hampered by both financial and ideological constraints. Ethiopia's rural population (about 85 percent of the total) has benefited directly from the 1975 land reform and subsequent land development programs. The land collectivization decree of 1979 has been implemented only to a very small degree because of popular resistance. Basic foodstuffs have to be rationed despite Ethiopia's rich agricultural resources, and serious shortages persist in a number of regions of the country.

The security of human rights in Ethiopia has never been firm. Under the previous regime, there were few or no guarantees of the integrity of the person. Civil and political freedoms were severely limited. Ownership of land was concentrated in the hands of a select few and little was done by the Government to promote the economic or social well-being of the general population.

After the 1974 revolution the level of human rights abuses in Ethiopia, high already under the previous regime, increased very sharply. The human rights situation was at its worst in 1977 and 1978, when the military leadership and its civilian opponents fought for control of the Government. Perhaps 10,000 men, women, and children were killed, while tens of thousands of others were tortured, imprisoned, or fled into exile during the "Red Terror" campaign. With the consolidation of the Government's control over most of the country, the level of abuses of the integrity of the person is now significantly lower. Ethiopians are no longer subject to the kind of random violence and arbitrary arrest and execution which terrorized Ethiopian society several years ago. In 1982 large numbers of political prisoners were released. There are, however, no civil and political freedoms, nor is there substantial legal protection against human rights abuses. Hundreds of thousands of Ethiopians live abroad in exile, self-imposed or otherwise.

At the beginning of 1982, the Government launched the latest in a series of military efforts in Eritrea. The prosecution of the campaign has resulted in major human rights abuses, reportedly committed by both government forces and the insurgents fighting against them. The Government has engaged in arrests, torture, and summary execution in Eritrea of those suspected of independence sympathies. Those suspected of aiding ethnic insurgent groups in other areas also have been arrested. Several hundred Eritreans and Tigreans, including government officials and employees of international organizations, were arrested this year in Addis Ababa on suspicion of providing material aid and intelligence to insurgents in the north. The past year has also seen a continuation of actions against certain churches associated with foreign missionaries, although some foreign missionary establishments continue to operate without interference.

Prospects for improvement in human rights conditions do not seem favorable. Ideological indoctrination of the population in the tenets of Marxism-Leninism continues unabated. School curricula have recently been altered on ideological grounds. News and media continue under government direction. Strict control is exercised over participation in the political process. Government controlled mass organizations, notably peasant, trade union, youth, and women's associations, are being extended throughout the country. Workers' control committees are being set up to assure ideological conformity and stand watch against waste and fraud. No political opposition is allowed and no enforceable legal protections have been introduced for the protection of the civil and political rights of individuals.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

The number of politically motivated murders or executions has declined substantially since the Red Terror period of 1977-78, during which opposition groups and the Government used terror and assassination against each other. It is difficult to make an accurate estimate of the number of such killings that took place in the past year. Such killings occurred mainly or perhaps exclusively in connection with ethnic insurgencies. Responsibility rests both with the Government and insurgent groups for using killing as a tool to destroy opposition or to advance political goals through the creation of an atmosphere of terror. Areas primarily affected are Eritrea and Tigre, and to a lesser extent, Oromo-populated areas and the Ogaden. Government troops have carried out arbitrary arrests and summary executions of both those in active opposition and those suspected of supporting secessionist groups. Assassination of government officials by these groups is designed to undermine government control of areas in which the insurgents are active.

b. Disappearance

Ethiopians may be arrested and held without legal process or notice to their families. There is little official accountability for the whereabouts or welfare of prisoners. Arrests are often secret and records not always maintained. Some prisoners deliberately are held in clandestine confinement, while others have disappeared for prolonged periods because the authorities failed to notify families as to their whereabouts. Since food for Ethiopian prisoners must be provided by families, most families manage to locate their relatives in prison fairly quickly. There have, however, been cases of prolonged disappearances. It is believed that such victims have been executed. Families have no way of knowing even over years of time if a particular inmate is alive, even if the prison continues to accept their food, because food brought by families for their relatives is often shared rather than given directly to individual prisoners.

Many recent disappearances have been caused by both government and insurgent forces' conscription of young men. Young men who disappear from towns and villages often emerge as soldiers in the Ethiopian army or one of the ethnic liberation groups. Men in cities must provide proof of employment to their urban dwellers' associations (kebeles) or risk selection for conscription. Conscription is not yet a legally authorized process; rather, kebeles periodically round up men to be loaded onto military trucks bound for training camps.

c. Torture

Torture is not prohibited by law. Reports of the use of physical torture against military and political prisoners, especially those accused of secessionist tendencies, during interrogation have been received in previous years. In its most recent report, Amnesty International reports that torture was said to be used in two Addis Ababa prisons during 1981. No specific allegations of torture were received in 1982, but it is possible that the practice continues. Repeated interrogation of those suspected of opposition to the Government has been frequent. Interrogations sometimes involve the purposeful infliction of mental suffering, such as threats to the individual or his family. Some members of "new religions" (i.e., Protestant sects) have in the past reported that regional security forces tortured members of the churches who were being detained.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Prisoners and detainees in Ethiopia are sometimes subjected to cruel, inhuman, or degrading treatment, especially during the interrogation period. Conditions in many Ethiopian prisons are poor. In certain prisons, prisoners are kept in semi-darkness in vastly overcrowded and damp cells and corridors. Sanitary conditions are inadequate. Conditions in Ethiopia's main detention center, Carchelli prison, are good by contrast. At Carchelli occupational and academic training, usually with other prisoners as teachers, is available. Inmates are given considerable freedom in determining their activities and can engage in sports or other social activities. Families and friends are allowed to visit with reasonable frequency. Also, former prisoners at the Gebi Palace prison, which held mostly high-ranking officials from the Emperor's government, report that they were well treated, although their quarters were crowded and damp and they were allowed brief visits from family members only once a year.

Because families are responsible for bringing food and clean linen, prisoners are often well-fed athough feeding prisoners frequently places a severe financial and personal burden on families. There is no evidence that political prisoners are deliberately subjected to living conditions worse than those of convicted criminals. Persons convicted of corruption tend to receive harsher sentences than other criminals. Such convictions often carry terms of hard labor as well as imprisonment.

There have been instances of forced agricultural labor among families involved in a program of resettlement from the Welo region to Wellega (a program undertaken because much of Welo's soil can no longer support its population). Workers on these farms reportedly still live in very poor conditions. There have also been reports for several years of forced agricultural labor in Gondar region at harvest time.

e. Arbitrary Arrest and Imprisonment

Most arrests made by government security forces are made secretly. In 1982 several hundred suspected supporters of Eritrean and Tigrean insurgencies were arrested secretly in Addis Ababa alone. Some foreigners who had contact with these individuals also were briefly detained. Certain Ethiopians employed at the United Nations in Addis Ababa were lured from UN premises with promises of packages at the post office or false news of emergencies at home, only to be arrested by security forces. It is a general practice of the security forces to avoid giving family members or friends knowledge of the victim's detention or interrogation.

The usual grounds for detention on political grounds is suspicion of support for one of the former political parties, affiliation with a "subversive" religious group or association with ethnic insurgent groups opposing the Government. Although habeas corpus still exists in the law, it does not provide protection in practice.

There is no legal time limit for holding a suspect without formal charges. Some officials of the former Government were held as much as eight years without any sort of investigation or interrogation.

On September 11, 1982, to commemorate the eighth anniversary of the revolution, 716 prisoners were released. The names of most of those released were not published, but among them were a large number of senior officials of the former regime, including ministers, deputy ministers, military officers, and senior clergy of the Orthodox Church. Admasse Zelleke and Zewde Bedada, former deputies in the International Parliamentary Union, were reported to have been released earlier in the year. Women from the former royal family were not released. There are conflicting reports about the total remaining number of political prisoners, which is virtually impossible to estimate. If the total includes those taken prisoner as a result of ethnic insurgencies, it could well number in the thousands. Amnesty International believes "some thousands" of political prisoners are still being held; these include supporters of banned political parties or opposition groups, members of ethnic groups associated with secessionist movements, and people associated with the former imperial government (the Amnesty International report was compiled before the release of the 716 prisoners). As a result of the Revolution Day releases, two of the prisons for political detainees, the Gebi prison and Fourth Division prison, have been closed.

f. Denial of Fair Public Trial

There is no real separation between the executive branch of the military Government and the judiciary. Courts are subject to political control. The cases of individuals arrested on political grounds are usually decided administratively by the security authorities; the outcome of political cases often appears to be arbitrary.

Civilians are not usually tried in military courts unless they are important cases, or have been caught in armed insurrection.

Petty offenses, both political and criminal, are settled by kebele tribunals.

A trial is not a guarantee of fair disposition of a case. Four years ago, former Minister of Mines Teshoma, who had been detained since 1975, was given a military trial and cleared of all charges, but nonetheless remained imprisoned until the 1982 amnesty. Although there have been reports that a system of administrative review of cases may be instituted, there is no indication that such a system is in fact operating.

For criminal trials, court appointed lawyers are available on a system under which private lawyers serve on a rotating voluntary basis.

A special court for the anti-corruption campaign was recently created by the Government and has begun to operate. There is concern among Ethiopians and observers that it may be used to punish ideological deviants as well as corrupt officials.

g. Invasion of the Home

Warrants are not required for entry or search of homes or offices, and forced entry is practiced by security forces and police. The widespread house-to-house searches of several years ago no longer take place. During the Red Terror, families were often arrested and taken from their houses in the middle of the night by security organizations on various levels. Searches are less frequent now, but may also be made selectively to obtain military recruits. There are reliable reports that the public security forces engage in audio and telephone surveillence.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech is severely restricted in Ethiopia. Government control over the media (newspapers, TV, radio) and other forms of expression is absolute and firmly enforced. The media are government-owned and operated. Political cadres are assigned to all major organizations, military units, schools, and government offices to insure political conformity. Weekly ideological indoctrination sessions are required in all work places.

Academic freedom is circumscribed, notably in political and social sciences. Public school curricula strongly reflect Marxist-Leninist doctrine. At the university level, there is apparently more flexibility in academic matters, although no criticism of the Government is allowed in this or other fora.

The last major organized political opposition group was eliminated in the 1977-78 Red Terror. Since then, those suspected of engaging in active opposition to the Government are detained for questioning or arrested. There is, however, an apparent official tolerance of persons known to be out of sympathy with the regime. Although watched, they are allowed to go about their business as long as they are under no suspicion of active opposition.

All books, foreign and domestic, are subject to censorship. Some issues of foreign news magazines are banned, and "Newsweek" has informed subscribers that the Government will no longer allow its importation because of an article it published that was critical of Ethiopia. Addis Ababa University refuses to allow American news magazines donated by USIA to be circulated in the libraries because they do not comply with censorship regulations. From time to time a decision is made that a certain book, Ethiopian or foreign, is counter to the revolution. Every copy of the book is then ordered confiscated from book stores. Some foreign correspondents leaving Addis Ababa have been required to have their notes and papers cleared by the censor prior to departure.

Since the revolution, publications in various Ethiopian regional languages other than Amharic, the national language, have appeared. Such publications were discouraged under the previous government, but have been encouraged since then.

All levels of the Government are involved in suppression of freedom of speech and press. Informer systems are becoming institutionalized in Ethiopia in the form of kebeles and workers control committees. Despite the end of the excesses of the Red Terror, there is still fear among Ethiopians that their neighbors and kebele officials will report on their activities. It has been credibly alleged that the Government engages in electronic surveillance, including tapping the telephones of suspected counterrevolutionaries, and there is some evidence that international mail is screened.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly and association do not exist in Ethiopia. All mass organizations, such as trade unions, youth, peasant, and women's organizations, are government-created and controlled. No independent organizations are allowed. Trade unions are not a vehicle for the expression of worker grievances and interests.

The 1982 proclamations on the organization of trade unions and on peasant association consolidation made it clear that the Government designed these organizations to increase political control over the population and to provide a vehicle for political indoctrination. Workers and farmers are required to join these government-created institutions.

The International Labor Organization has expressed concern about the labor proclamation, which places severe restrictions on strike activity, and about the non-inclusion of certain workers in unions. There is in practice no right to strike in Ethiopia. Article 106 of the 1975 labor proclamation establishes that it is unlawful to strike unless the dispute is first referred to the labor division of the high court. The decision rendered by this body is final. Theoretically a strike might be possible should the high court take more than 50 days to reach a decision. However, this is not known ever to have occurred and there have been no known strikes in Ethiopia since the creation of the current Government.

In the past, professional organizations such as the bar association had been prevented through intimidation from attempts to maintain international contacts. There is evidence, however, that professional associations have felt freer to reopen contacts in the past year. Rotary and Lions clubs continue to function freely in Addis Ababa, though their membership is substantially foreign.

c. Freedom of Religion

Although freedom of religion is officially recognized in Ethiopia, both the Orthodox Church and other religious denominations have been subjected to varying degrees of harassment since the revolution.

After the revolution, the Orthodox Church was removed from its position as the official state religion and most of its land holdings were nationalized. The Government announced in late 1981 that the role of churches in the future would be restricted to purely religious matters. All church schools, hospitals, training programs, and property not strictly used for religious purposes would be taken over by the Government. In May 1982, Mathias, the former Archbishop of the Ethiopian Orthodox Church in Jerusalem, publicly stated in New York that the Ethiopian Orthodox Church was being subjected to repression. In support of his claim, he alleged executions and arrests of Orthodox clergy. There have been no other reports, however, of actions in 1982 against the Ethiopian Orthodox Church or against Islam. International Christian religious observers say the Orthodox Church operates freely and that attendance at religious services has increased markedly in recent years. International Moslem observers report satisfaction with the status of Islam under the current regime.

Other groups, mainly certain evangelist Protestant churches associated with missionaries, have been subjected to various kinds of official harassment. However, some foreign Protestant missionaries report no interference in their activities. The Government charges that certain Protestant churches engage in "anti-revolutionary activities under the cover of religion." The Government apparently suspects the Mekane Yesus (Evangelist Lutheran) Church of being connected to the Oromo Liberation Front. Since the arrest of certain members of the Mekane Yesus Church on these grounds and the takeover of the Church's headquarters in Addis Ababa in 1981, it is understood that some church members have been released and some churches that were closed have been allowed to reopen. However, Mekane Yesus' General Secretary, Pastor Gudina Tumsa, has not been released since his abduction in July 1979, and no information has been made available about his whereabouts, or the condition of his wife who is also in prison. In early 1982, local government officials monitored annual regional church meetings of the Mekane Yesus and Seventh Day Adventist churches. Some Mekane Yesus officials in Wellega were arrested at the close of these meetings and later tried, fined, and released. Seventh Day Adventist youths were reportedly jailed for several months for refusing to participate in literacy campaign activities on their sabbath, even though they volunteered to work on another day. A number of other Protestant denominations, as well as the Catholic Church, also suffered harassment during 1982.

Falasha Jews have also suffered from obstacles to the practice of their religion. Estimates of the number of Ethiopian Jews, known as Falashas, vary considerably, with 25,000 a frequently-cited figure. They live primarily in primitive villages in Gondar and Tigre administrative regions. Before the revolution, the Falasha were prohibited from owning land and suffered from other severe discrimination. Their general material situation improved as a result of the 1974 revolution, which gave them de facto ownership of arable land. In the religious and cultural areas, Falashas are worse off since mid-1981 than other ethnic groups in Gondar Province. No information is available on Falashas in Tigre; visits by foreigners to that area are not permitted owing to the insurgency. The Orthodox Christian population of Gondar has access to churches, whereas in 1981 the Government, alleging maladministration, closed synagogues and schools established for Falashas by the Organization for Rehabilitation and Training, an international group based in Switzerland. The largest of these schools has now been reopened at certain grade levels by the Government. The office of the

Organization for Rehabilitation and Training in Addis Ababa was closed in 1982.

Recent visitors to Gondar report that while the Falashas are generally quite poor, like other people in the area, and live in primitive conditions, there is no starvation among them.

The Falasha, like other Ethiopians, are prevented from emigrating from Ethiopia. It has been reported that many would like to emigrate to Israel.

Conversion from one faith to another is permitted. The Government tries to discourage adherence to any faith in its attempt to wean traditionally religious Ethiopians away from the organized churches.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Movement within Ethiopia generally is not impeded by the Government, although identification cards are required. Travel to Eritrea (a war zone) requires permission. Those suspected of counterrevolutionary activity may be limited to travel within the administrative region in which they live, and religious leaders, including Protestants and Falasha, have been denied permission to travel to neighboring congregations.

Private travel abroad is very difficult for Ethiopians. An elaborate clearance procedure is require, and a financial guarantor to assure one's return usually must be found. Permission to travel abroad may be denied to those not considered politically reliable.

The right to emigrate is not generally recognized; however, many Ethiopians continue to take advantage of any opportunity to leave the country. In November 1981, a government proclamation stated that illegally leaving the country was a treasonable offense punishable by five-to-twenty-five years rigorous imprisonment, or in grave circumstances, death. Ethiopian lawyers have expressed the opinion that this provision applies only to Ethiopians who clandestinely cross into neighboring countries such as Somalia and the Sudan. Nevertheless, it is estimated that more than a million Ethiopians have fled to surrounding countries as refugees, or requested asylum in Western countries, as the result of ethnic insurgencies and the revolution.

The right of voluntary repatriation is recognized, and many have reportedly returned from neighboring countries. The Government has proclaimed mass amnesty decrees for Ethiopians living abroad. It has also issued individual invitations to return. The decrees and invitations, however, lack guarantees and are not unconditional. Some Ethiopians who have taken advantage of individual or general amnesties have been given jobs and housing and have been well-treated.

Some Ethiopian refugees in Djibouti were forcibly repatriated to Ethiopia in February, 1982. On arrival in Ethiopia, some of them were given a choice between paying an exhorbitant fine or facing several months in prison. Some were reportedly put on display with a fee charged the public to see them. The November 1981 proclamation, providing even more severe penalties, was not enforced against these returnees.

Ethiopian authorities have imprisoned some Somali refugees. In June, several of those imprisoned in Addis Ababa were reportedly executed.

Except for around 5,000 Sudanese refugees said to be living in Ethiopia, there are no significant concentrations of refugees in the country.

e. Freedom to Participate in the Political Process

Ethiopia's military Government exercises tight control over all aspects of society. No effective avenues exist for popular participation in decision-making; all significant matters are decided in camera by the senior levels of the Government, headed by Chairman Mengistu Haile-Mariam. Important issues are usually referred to the Chairman himself.

The only form of "political involvement" available to the citizenry is the various organizations created by the Government to implement its social and political goals. Chairman Mengistu has publicly pressed for progress in transforming the Commission for Organizing the Party of the Working People of Ethiopia (COPWE), the primary political arm of the Government, into an official party. The proposed party, which would be the only one allowed in Ethiopia, will presumably be modeled after the Communist Party of the Soviet Union. All elections to the mass organizations are carefully controlled by COPWE; all candidates for positions are approved by it prior to elections. No opposition to the Government is tolerated.

The kebeles and peasant associations are the most important government-created organizations at the local level. Both have enabled the Government to increase its control over the population. The women's association, organized from the national to the local level, has the proclaimed goal of improving the status of women. It is also intended to establish a broader base of support for the regime. Although women are being encouraged to participate fully in authorized economic and political activities, they are not represented at the top of the power hierarchy. Moreover, the organization created to promote their rights is controlled by COPWE and has no effective program or power. The youth and labor associations, established to control, to indoctrinate, and to expand the regime's base of support, also have no independent policies or programs. Ethiopia's diverse ethnic groups have been permitted no political autonomy by the Government.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

In general, Ethiopia has been opposed to international and nongovernmental attempts to improve protection of human rights. It strenuously objected to the United Nations Human Rights Commission's consideration of its human rights record from 1978-1981 and accorded the UN minimal cooperation. The UN Commission, under its special confidential (1503) procedures for dealing with "consistent patterns" of gross violations of human rights, investigated and reported on violations in Ethiopia for four years. When the anti-slavery commission presented a report to the UN working group on slavery in 1980 alleging forced labor in Ethiopia, the Government responded with an angry note. It similarly denied the cases of disappearances contained in the report of the UN working group on enforced and involuntary disappearance in 1982.

Organizations which criticize Ethiopia's human rights record are denounced by the Government as politically motivated.

Amnesty International's letters and petitions to the Government have rarely, if ever, been answered. The Government does not permit the formation of government or private organizations which concern themselves with human rights.

4. Economic, Social, and Cultural Situation

Ethiopia is among the poorest countries in the world. The economic goals proclaimed by the Ethiopian Government since the 1974 revolution have been to reduce inequalities and raise the standard of living for the bulk of its population. In addition to widespread nationalizations and land reform, the implementation of these objectives has involved central planning, government control of production and distribution, and the use of mass organizations to mobilize peasants and urban dwellers to achieve economic goals. While these programs have resulted in an overall increase in food consumption in rural areas, they have not significantly improved the economy. Overcentralization has strained the Government's managerial capabilities and resulted in considerable inefficiency.

The Government does not officially approve discrimination on the basis of sex, religion, or ethnic affiliation. In some instances, however, the Government appears to tolerate such discrimination, particularly against certain ethnic groups and on religious grounds. A "new class" appears to be developing of those connected to the Government and COPWE who enjoy good housing and jobs and who can avoid the food shortages and the other difficulties of the general population.

Women in the central Ethiopian cultures (Oromo, Amhara, and Tigre) have traditionally enjoyed economic rights equally with men. They may inherit, buy or sell property, and engage in business. Women, however, traditionally are limited to more circumscribed roles in political, modern economic, and religious spheres of life. Village leadership is male, and all clergy are male. Women have a subjugated status within the home, and child marriages are common. The Government is beginning to challenge these traditional limitations on women's roles, except in the religious sphere. Some groups in Ethiopia practice female circumcision.

Health conditions are very poor. Although medical care is free, countrywide there is only one physician for every 75,000 people and one nurse per 5,320 people. Almost all health facilities are in or near cities and towns. Only about two percent of the rural population and 32 percent of the urban population have reasonable access to safe water. Malaria has recently increased in scope.

Food grain production has fluctuated from year to year without a steady trend; however, increasing population and urbanization have resulted in significant net grain deficits each year. Low productivity also has been reported on collective and state farms. Late and sparse rains could result in a reduced food production level for 1982. Food shortages have resulted in rationing of basic foodstuffs.

The Government is devoting much attention to its basic education program and to the expansion of higher education. In both urban and rural areas, hundreds of thousands of adults are learning to read, write, and do simple arithmetic as part of the Government's literacy campaign, which was launched in 1979. It is conducted in many regional languages. High school youth and teachers have been recruited into teaching corps for this purpose. Considerable pressure is exerted to ensure participation in the program.

Absence from literacy classes may be punished. From 1970 through 1977 the adult literacy rate increased significantly from 6 percent to 15 percent. The Government currently claims that the literacy rate has been raised to 35 percent. The percentage of children of primary school age enrolled in schools has similarly risen from 16 percent to 35 percent between 1970 and 1979. The primary school enrollment ratio is 48 percent for males and 24 percent for females. The increase in enrollment has placed a considerable burden on the school system reflected in inadequate facilities and insufficient numbers of teachers. Children attend classes in three shifts per day, with an average of 60 students per class. The right of women to equal education is stressed by the Government. University level education has also been expanded and enrollment is now over ten thousand.

Political indoctrination has been introduced into the school system at all levels, reflected in the books used and in the ideological conformity expected of the students. University students frequently are required to follow courses of study prescribed by the Government and are forced to take assigned jobs after graduation.

The World Bank estimates that the GNP per capita in Ethiopia does not exceed $140. In 1977, 60 percent of the urban population and 65 percent of the rural population fell below the poverty income levels. Income growth has suffered from dislocations of the revolution, the diversion of resources from development to military needs, managerial problems, the inability of the system to provide adequate incentives to farmers, workers, and businessmen, as well as some covert resistance to economic policies. On the basis of government figures, growth of GNP averaged 2.2 percent since 1974. On the other hand, population growth appears to have accelerated (Ethiopia's first census is currently under preparation and is scheduled to begin in 1983). World Bank statistics indicate a population growth rate of 2.1 percent for the 1970-79 period, but a growth rate of 2.6 percent for 1980. As the 1977 poverty level statistics indicate, low living standards are particularly striking in the urban areas. Salaries for most workers have been frozen since 1976, although the Government has allowed increases for the very lowest paid. Endemic inflation has eroded real income and consumption for all. Efforts at price control do more to create shortages than to hold down costs of necessities.

In 1975, the Government nationalized all rural land. User rights for up to 10 hectares were allocated to farmers willing to till the land themselves. This measure abolished large private land holdings and tenant farming and allowed many farmers to till their own fields for the first time, but destroyed the old system whereby surplus agricultural production (collected as rent on fields) was sent by land owners to market in the cities. The new system, which permits individual farmers to retain their produce if they wish, has resulted in a shortage in the amount of food available in the cities, as the Government does not offer a high enough price to induce farmers to produce more than they need themselves. Thus Ethiopia, once a net exporter of food grains, is now a net importer.

Overall, the lot of the rural population is thought to have improved since the revolution, but not that of the urban poor. Since land reform eliminated tenant labor on farms, peasants now may keep as much of their produce as they wish. The Government tries to buy surplus grain from the peasantry at low prices for sale in the cities, but farmers are given little incentive to produce more than they need for their own use. As a result, the peasantry is well-fed, but there are extensive grain shortages in the cities. The standard of living of the urban poor is lower than it was prior to the revolution, as the cost of living has increased more sharply than their wage increases.

Rights relating to ownership of private property have been significantly curtailed. Ethiopians whose properties were nationalized were neither paid nor promised compensation. The remains of the private sector play only a limited and fragile role in Ethiopia. Real personal property and business property remain subject to nationalization. The Government rigorously controls access to credit, foreign exchange, and licenses as well as most other aspects of business conduct. More than the fact of this control, the uncertainty and capriciousness surrounding such control depresses private investment and business.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: ETHIOPIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	15.0	5.0	2.5
LOANS...............	0.0	0.0	0.0
GRANTS..............	15.0	5.0	2.5
A.AID	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	15.0	5.0	2.5
LOANS...............	0.0	0.0	0.0
GRANTS..............	15.0	5.0	2.5
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	15.0	5.0	2.5
E.RELIEF.EC.DEV & WFP.	13.5	1.6	0.0
VOL.RELIEF AGENCY.....	1.5	3.4	2.5
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS...........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS.........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	15.0	5.0	2.5
LOANS...............	0.0	0.0	0.0
GRANTS..............	15.0	5.0	2.5
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	65.1	9.0	31.5	696.3
IBRD	0.0	0.0	0.0	108.6
IFC	0.0	0.0	0.0	15.5
IDA	0.0	0.0	0.0	341.6
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	27.9	0.0	31.5	90.9
UNDP	13.2	7.4	0.0	90.6
OTHER-UN	24.0	1.6	0.0	49.1
EEC	0.0	0.0	0.0	0.0

GABON

Gabon has a single-party political system with power centralized in the presidency. This office has been held since 1967 by President Omar Bongo, who was reconfirmed in 1973 and again in 1979 in national referenda. A 93-member National Assembly chosen from a single-party slate functions regularly but has little real power. Opposition political parties are not permitted. There are cases, however, where contested local or parliamentary elections have resulted in the election of candidates not supported by the party hierarchy. The Government has sought to build a political consensus by bringing all ethnic and political groups under the umbrella of the party.

The country has a constitution which guarantees basic protection of the individual and respect for the integrity of the person. These rights are generally respected in practice. A legal system based upon French civil law, customary law, and the 1961 Constitution functions fairly effectively. Political rights are not guaranteed under the Constitution, and active political opposition is not permitted. Public criticism of particular government actions and policies is allowed and occurs with some regularity, although direct attacks on the President are prohibited. The Gabonese press has taken issue with actions of government agencies and criticized ministers. Foreign periodicals containing articles critical of the Government generally circulate freely.

The principal political event in the last year was the arrest of approximately 30 individuals in late 1981 and early 1982 for organizing an opposition party, the Movement for National Recovery (MORENA); are charged with acts against the public order, including insults to the chief of state. These are the first arrests for political opposition in several years. In November 1982 the Government tried these arrestees in an open trial in accord with the Gabonese Constitution and sentenced some of them to long prison terms.

Although still a developing country, Gabon has the highest per capita income in sub-Saharan Africa due largely to its important petroleum and mineral resources and limited population. Economic performance has also benefited from long-standing government policies supporting private enterprise and encouraging foreign investment. While income distribution is skewed in favor of the modern urban sector as opposed to the traditional, agricultural sector, most Gabonese have benefited from the country's strong economic growth. Despite this year's well-publicized political trials and a public execution of convicted murderers, human rights conditions in Gabon remained basically unchanged in 1982 in comparison with those of recent years.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no reports of political executions by the Government or by opponents of the Government in recent years.

b. Disappearance

Names and details of the December 1981 and March 1982 arrests of political dissidents were released slowly but were acknowledged by the Government and have been discussed publicly. No reports of other, unacknowledged disappearances have been received.

c. Torture

Amnesty International reports that in recent years political detainees held by a number of national security and constabulary units have been tortured. The periodical "New African" published in London cites the case of a mining engineer tortured with electric shocks while in prison during 1982 for anti-government demonstrations.

d. Cruel, Inhuman or Degrading Treatment or Punishment

Although prisons are generally spartan and crowded, most prisoners are permitted visits by family members and can obtain medical attention when required. In its 1982 report, covering events in 1981, Amnesty International stated that it had received reports that some of the persons detained in late 1981 for political activity had been badly beaten in detention. During their public trial, the MORENA defendants complained of cramped cells and inadequate food; two stated they had been beaten by guards.

e. Arbitrary Arrest and Imprisonment

The roughly 30 persons arrested in late 1981 and early 1982 were the first arrests for political activity in some years. Some of these were held incommunicado for weeks without their cases being referred to the courts, in violation of the Code of Penal Procedure. There have been recent reports of the arrest of a prominent academic cleric on charges of illegal political activity.

f. Denial of Fair Public Trial

The right to a fair public trial is guaranteed by the Gabonese Constitution and has generally been respected in practice. The trial in November 1982 of the 37 political detainees was conducted in accordance with the laws of Gabon, and the defendants received the normal due process provided under the Gabonese legal system. The defendants were provided with lawyers throughout the trial, were given sufficient time to confer with the lawyers, and were permitted to present a defense to the charges brought by the prosecution.

The court sessions were open and attended by overflow crowds composed heavily of family and supporters of the accused. The trial sessions were reported factually and in detail by the local press and TV (both government-owned), including defense statements. French journalists and a representative of Amnesty International also attended the trial. No special or military courts with jurisdiction over civilians have been convened in recent years.

g. Invasion of the Home

A report published in Europe asserts that the homes of suspected MORENA sympathizers have been searched in nighttime raids intended to uncover stolen military arms, but this has not been verified.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

There are limitations on freedom of speech in Gabon. However, with the exception of public attacks on the President, criticism of government policies and action is permitted and occurs with some regularity. One of the most popular local television shows is a weekly live press conference in which government ministers and their staffs respond to questions phoned in by viewers. While it is not known if all questions are aired, government officials are often presented with hostile or embarrassing questions. The country's one daily newspaper, although government-controlled, occasionally features articles critical of specific government activities. Foreign periodicals with articles critical of the Government normally circulate freely. Freedom of press and speech in Gabon does not extend to organized political activity in opposition to the single political party.

b. Freedom of Peaceful Assembly and Association

The only political assembly permitted is under the auspices of the country's single party, which organizes occasional mass rallies to publicize and support government policies. Labor unions also are affiliated with the party, but strikes occur occasionally.

c. Freedom of Religion

The Constitution guarantees the free practice of religion, and a policy of religious tolerance is followed in practice. Christian, Muslim, and animist religions all flourish in Gabon.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Domestic travel is for the most part unrestricted in Gabon. However, the identity cards of persons moving around the capital have been checked more frequently since the emergence of the movement to create another political party. In the 1960's and early 1970's a number of political opponents went into exile. In some cases, and notably that of former Prime Minister Jean-Hilare Aubame, President Bongo has publicly guaranteed their safety if they return. International travel is unimpeded except for common immigration controls.

e. Freedom to Participate in the Political Process

Participation in the political process is restricted by the Constitution to the single authorized political party, the Democratic Party of Gabon and its affiliated organizations. President Bongo has followed a domestic policy aimed at building a broad political consensus by encouraging participation in the Party by all ethnic groups and by virtually all political persuasions. The cabinet is chosen so as to be representative of the ethnic diversity of the country. Under the single party system, presidential elections in Gabon have not been contested. Elections for the National Assembly do feature competing candidates under the umbrella of the Party. Basic national policy is determined by the President in consultation with the cabinet. Within these broad guidelines, some political debate goes on within the Government and Party over specific actions and priorities. The role of the Prime Minister has recently been strengthened by giving him added responsibility as head of government.

Women are integrated into all levels of political and economic activity. The extent of their participation is limited by cultural factors but not by any element of the Gabonese political or legal system.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Amnesty International expressed concern about the arrests of the

30 political dissidents reported above shortly after they occurred. President Bongo subsequently invited Amnesty International to send a mission to Gabon to investigate the situation firsthand. While a formal mission was not sent, the organization reportedly was able to gather information through its representatives in Gabon and from other sources. A representative of Amnesty International attended their trial.

4. Economic, Social, and Cultural Situation

Gabon has considerable natural resources, including petroleum, manganese, uranium, and forest products. Given these resources, government policy encouraging private enterprise and foreign investment, the country has for many years enjoyed relatively high levels of export earnings and economic growth. Gabon has one of the highest per capita income levels in Africa. The exact level is unclear, since recent surveys indicate the population is larger than estimates published by various international organizations. A recent government census put the population level at 1.2 million. Based on 1981 GDP figures, this would give a per capita GDP of $3,100 at the 1981 exchange rate. In any event, it is clear that Gabon is one of the few prosperous countries on a continent where most nations are facing critical economic problems.

Despite its strong economic record, Gabon faces the problem common in developing countries of trying to integrate the modern sector of the economy with the traditional sector based on semi-subsistence agriculture. The traditional sector in Gabon confronts many of the same economic and social problems faced by the poorer countries in the region and, as is true elsewhere, income distribution is skewed strongly in favor of the modern urban sector. The Government is attempting to ensure further economic growth and a more equitable distribution of national income through public investment in social services (especially education and medicine), in infrastructure, and assistance to agricultural development. The right of both men and women to hold private property is spelled out in the Constitution and is scrupulously upheld. Pay scales are relatively high by African standards; the minimum wage is about $160 per month. There is little unemployment among Gabonese who wish to enter the wage economy. While some corruption exists, the problem is not a major one for Gabonese society.

Urban women are found in increasing numbers in government, in the professions, and in politics, although their presence in business life remains limited. In rural areas cultural factors tend to limit women to their traditional role in agriculture. In both rural and urban areas the role of women as homemakers is still dominant. By African standards Gabon has a low natural population growth rate (around 2 percent), but this has been augmented by immigration from neighboring countries. Life expectancy has risen from 40.2 years in 1970 to 44.5 years in 1980. The infant mortality rate, while still substantial (116 per 1000 live births), has dropped below the level of neighboring countries.

The ratio of available calorie supply relative to nutritional requirements is reported by the World Bank as 104 percent. There is no evidence of malnutrition due to non-availability of food. However, lack of knowledge of good nutritional practices for children in the traditional sector is a problem. The World Bank has reported that 202 percent of the primary school-age population is attending school. This figure is believed to reflect an underestimation of the total population, but the point that nearly all school-age children are attending school is considered valid. Rural school construction remains a high government priority as is the recruitment and training of Gabonese teachers (many are now foreign). Government policy on economic and social needs for Gabonese nationals is implemented on a non-discriminatory basis.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: GABON

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	1.0	1.2	1.4
LOANS..............	0.0	0.0	0.0
GRANTS.............	1.0	1.2	1.4
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	1.0	1.2	1.4
LOANS..............	0.0	0.0	0.0
GRANTS.............	1.0	1.2	1.4
PEACE CORPS......	1.0	1.2	1.4
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	2.6	2.7
LOANS..............	0.0	2.6	2.6
GRANTS.............	0.0	0.0	0.1
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	2.6	2.6
C.INTL MIL.ED.TRNG....	0.0	0.0	0.1
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS.........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	1.0	3.8	4.1
LOANS..............	0.0	2.6	2.6
GRANTS.............	1.0	1.2	1.5
OTHER US LOANS..........	1.4	2.7	0.0
EX-IM BANK LOANS.......	1.4	2.7	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.3	1.4	22.0	192.8
IBRD	0.0	0.0	0.0	67.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	18.0
UNDP	0.3	1.4	0.0	16.7
OTHER-UN	0.0	0.0	0.0	1.2
EEC	0.0	0.0	22.0	89.9

THE GAMBIA

The Gambia is a small former British colony on the West African coast, with a population of over 600,000 and an area of slightly over 4,000 square miles. Its political structure has evolved from the parliamentary/prime minister type to that of a parliament with a nationally elected president. Although the two principal parties dominate the parliament, several minority parties also have representation. In May 1982, parliamentary and presidential elections were held, and 65 percent of the electorate reportedly participated. Since the country's independence in 1965, President Dawda Jawara has been first head of government and then, under the changed system of government, chief of state.

In late 1981 a treaty was signed with neighboring Senegal, whose territory completely surrounds the Gambia, creating the confederation of Senegambia under which both nations retain individual sovereignty and political institutions, but which provides as well for the creation of a confederated superstructure including a president, vice president, cabinet, and parliament. During the past year several protocols were negotiated to give substance to the new confederation, but the most difficult ones involving common approaches to defense, customs, and monetary union, have yet to take shape.

On the economic side, the Gambia is poor and underdeveloped, relying primarily on a single export crop, groundnuts, a sector which has performed poorly over the last few years and has been subject to declining world prices over the last three years.

The Gambia and its leadership have been strong advocates of individual human rights and have supported a proposed human rights code for all of Africa. The Government was shaken by two coup attempts in 1980 and 1981, the latter resulting in a state of emergency which led to regulations under which some 1,090 persons were detained during the second half of 1981 and early 1982. The names and addresses of those detained were published in the official gazette, as were the names of those subsequently released. A number of the detainees were brought to public trial, in special tribunals established for this purpose, with judges and counsel furnished from neighboring English-speaking African countries. Many detainees were released without trial, and cases against others were disposed of administratively. In October 1982, an unconfirmed report that an additional three persons were released appeared in a Senegalese newspaper. The report went on to state that this reduced the number of those still in detention as of October 5 to 97 individuals. A trial for 30 of these cases began on November 18 in Banjul.

During 1982 curfew restrictions were eased considerably, and on October 18 the curfew was formally lifted, although the underlying state of emergency remains in force.

The long term effect upon human rights in the Gambia of increased integration of its political and economic institutions with those of Senegal is unclear. However, there is no reason to believe that the present generally constructive approach of both countries to individual rights and freedoms is likely to change.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no reported cases of killing for political motives in the Gambia during the past year.

b. Disappearance

The names and addresses of those persons detained under the emergency regulations, resulting from the failed coup attempt of mid-1981, are published regularly in the official gazette. The last persons arrested under those regulations were detained in May 1982. There is no record of abduction or secret detention of individuals by any elements of the Gambian Government or by any opposition groups.

c. Torture

The constitutional prohibition against torture is observed in practice. No allegations of torture have been reported in 1982.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution contains a specific prohibition against inhuman or degrading punishment, and no evidence of violation of this prohibition has been reported or alleged within the past year. Sentences, including fines and imprisonment, are related to the severity of the crime committed and are based upon schedules set forth in applicable statutes or regulations, including those imposed under the current state of emergency.

There are segregated prison facilities for men and women of both the maximum and minimum security type. The Government has allowed prison visits, including visits to those detained under the emergency regulations, by representatives of the local branch of the Red Cross and certain close family members.

e. Arbitrary Arrest and Imprisonment

The Constitution states explicitly that a person can be arrested only upon reasonable suspicion of having committed, or being about to commit, a criminal offense under Gambian law. Other provisions grant the right to an early trial and, by implication, permit the courts to inquire into the reasons for detention. The right of habeas corpus is implicit in the Constitution and is respected.

Under the emergency regulations still in force, the President may order the detention of any person who, in his opinion, has been involved in acts prejudicial to the public safety or public order, in the preparation or instigation of such acts, or in impeding the maintenance of supplies and services essential to the life of the community. Such persons may be held up to 14 days without a detention order. Detainees are free to exercise their right to legal counsel.

As mentioned above, a total of 1,090 persons have been detained under these regulations since the imposition of the state of emergency in August 1981. Most of these detainees have either been tried or released without trial. In general, detainees are released if preliminary investigations prove inconclusive.

f. Denial of Fair Public Trial

Of arrestees, only those persons detained by presidential order under tne emergency regulations cited above have not enjoyed the right to an early hearing before an independent and impartial court. A special trial division of the Supreme (trial) Court was established for their cases, and judges and prosecuting and defense counsel were brought in from neighboring English-speaking countries to help handle the caseload, both because of a shortage of available legally-trained personnel in the Gambia and to assure impartiality in the trials. Trials held by these special tribunals, like all other trials held in the Gambia, have been public. Criminal defendants are guaranteed by the Constitution: the right to a public trial; the presumption of innocence; the right to be informed promptly and in language the accused understands of the nature of the offense charged; adequate time and facilities for preparation of a defense; the right to defend oneself or select one's own counsel; the right of cross-examination; and the right to a paid interpreter if needed. The accused also has the right to be present, not to be required to testify against himself, and to be free from double jeopardy and from the application of ex post facto definitions of crimes. Appeals normally proceed from the Supreme (trial) Court to the Court of Appeal, the country's highest tribunal.

With respect to the special tribunals for offenses charged under the emergency regulations, President Jawara in an August 2, 1981 radio address stated that 111 persons had been convicted and 16 acquitted by these tribunals. In May 1982 the Court of Appeals heard 35 appeals from such cases. Much of the delay in disposing of these cases appears to have resulted from the problem of coordinating the availability of judges and trial counsel, all drawn from other African countries.

g. Invasion of the Home

The Constitution provides guarantees against arbitrary search of person and property. It excepts the voluntary submission to a search by the individual, or a search that is reasonably required in the interests of defense or other public interest. Under the criminal code, search warrants are issued by magistrates upon application by the police, based on probable cause. Under the emergency regulations, searches of premises or vehicles for suspected firearms or other specified articles may be authorized by the Inspector General of Police or the Commander of Military Forces.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Constitution provides guarantees of press freedom and the Government does not engage in censorship of publications. The emergency powers regulations, however, prohibit the publication of items or use of slogans or other demonstrations of sentiment likely to incite or cause disaffection or alarm, or be prejudicial to public safety, public order, or the maintenance of essential services or supplies. This rather sweeping formulation has as a practical matter helped block open criticism of the Government.

The Gambia's multilingual and largely illiterate population does not provide much of a press readership. There are no daily newspapers, and the few periodicals published are mostly of the mimeographed variety. In addition to a government radio station, there is a private commercial one. No instances of government interference with this station have been reported or alleged. Magazines and other periodicals from outside the country are freely available at a few outlets, mostly in the capital, but radio remains the major source of information.

Although considerable freedom in criticizing the Government is permitted in the Gambian press and radio, there are understood limits which are usually not exceeded. To the extent that any academic inquiry is carried out within the country, it has been with complete freedom.

b. Freedom of Peaceful Assembly and Association

Under the current emergency regulations no public meeting may be held without prior notification to the police. Trade unions exist, although they are not at present as active as unions in the past years. There have been no strikes during the past year. It is not known to what extent current inactivity on the labor front is due to government pressure or to the generally poor economic conditions and high unemployment rate in some sectors. One of the few periodicals in the Gambia is published by the trade unions.

c. Freedom of Religion

While Islam is the predominant faith in the Gambia, Christianity is freely and actively practiced. The Constitution guarantees freedom of conscience, thought, and religion as well as the right to practice and propogate religious beliefs. No incidence of discrimination on the basis of religion has been reported in employment, educational, or other fields. No person is compelled to take an oath, to receive instruction, or to attend any ceremony which contravenes his religious beliefs.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Internal police checkpoints still exist, where documents of travelers are checked, but freedom of movement is not restricted. The Gambia has long land frontiers with Senegal, where the populations are often related by ethnic and linguistic ties, resulting in constant movement between the two countries, especially for persons in the agricultural sector. Considering that an international border is being crossed, movement between the Gambia and surrounding Senegal is relatively free and unencumbered. A small number of Gambians are living outside of the country for economic reasons, plus a few alleged ringleaders of the last coup attempt. Those residing outside of the country do not lose their nationality and are free to return at will.

e. Freedom to Participate in the Political Process

There is universal adult suffrage in the Gambia and elections were held in May 1982 for president, vice president, and members of parliament. An estimated 65 percent of eligible voters participated in those elections. The two major political parties and several minority parties offered candidates for all positions. President Jawara was re-elected by a large majority of the votes cast. It should be noted that his opponent was detained during the campaign under the emergency regulations, having been charged with complicity in the coup attempt of the previous year. He was later publicly tried and acquitted. Despite the difficulties of campaigning under such circumstances, the minority party candidate drew more than a quarter of the vote. Furthermore, the President's majority party lost eight of 35 contested seats to opposition candidates and independents. One successful candidate became the Gambia's first elected woman parliamentarian. There has been no serious allegation of election fraud or unfairness. There are no legal restrictions on political activity and participation by women. Nonetheless, participation by women is naturally influenced by custom in this largely Islamic and conservative culture.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Gambia considers itself to be one of Africa's leading advocates of respect for fundamental human rights. It has hosted an all-African conference on this subject, and has long advocated within the Organization of African Unity the adoption of a code of human rights. Since declaring a state of emergency in the wake of the 1981 coup attempt, President Jawara has attempted to assure the civil rights of the accused participants by engaging expatriate judges and counsel for the trials of defendants. He also is permitting outside groups to visit the detainees. Thus far only the local Red Cross appears to have accepted the offer.

4. Economic, Social, and Cultural Situation

The Gambia is a poor, underdeveloped, largely agricultural country, which is not self-sufficient in food production. Its principal export crop, groundnuts, is subject to the vagaries of an uncertain world market as well as varying production. The Gambia recognizes private property and the right of private business association. A sizeable proportion of the retail trade, however, is in the hands of expatriate trading houses or third country nationals. Most of the Government's budget is required to pay salaries of its employees, with little left for other recurrent expenses and maintenance of existing infrastructure. There are even fewer resources available for investment in capital improvements and economic development. The level of foreign aid has increased in recent years, a small proportion of which has been used to provide direct support for the Government. Some of this aid, however, has added to the Gambian Government's burden by creating additional recurrent expenses, as well as demands upon its limited resources for counterpart contributions to new capital investment projects financed by this aid.

The Gambia's population, estimated at 619,000 in 1981, is growing at a rate of 2.8 percent per year. The gross national product per capita of just under $250, as estimated for 1980, appears to be declining. Forty-two percent of school age children attend primary school, and there is an adult literacy rate of 10 percent (1975 estimate). There are no universities in the Gambia.

Life expectancy at birth is 42 years. Infant mortality is estimated to be 198.3 per 1,000. Twelve percent of the population is reported to have access to safe water. It is estimated that the caloric requirement available for consumption relative to nutritional requirements is 97 percent. Although the Gambia suffers from poverty, lack of education, and inadequate health care, there is no evidence of discrimination in the availability of Government services to any segment of the population.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: GAMBIA, THE

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	7.4	7.7	3.1
LOANS...............	0.0	0.0	0.0
GRANTS..............	7.4	7.7	3.1
A.AID	4.7	5.6	1.2
LOANS...............	0.0	0.0	0.0
GRANTS..............	4.7	5.6	1.2
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	1.9	1.3	1.1
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.9	1.3	1.1
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	1.9	1.3	1.1
E.RELIEF.EC.DEV & WFP.	1.2	0.2	0.3
VOL.RELIEF AGENCY.....	0.7	1.1	0.8
C.OTHER ECON. ASSIST...	0.8	0.8	0.8
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.8	0.8	0.8
PEACE CORPS......	0.8	0.8	0.8
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	7.4	7.7	3.1
LOANS...............	0.0	0.0	0.0
GRANTS..............	7.4	7.7	3.1
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	25.9	0.0	4.7	69.4
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	27.5
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	25.5	0.0	4.7	34.2
UNDP	0.0	0.0	0.0	6.3
OTHER-UN	0.4	0.0	0.0	1.4
EEC	0.0	0.0	0.0	0.0

GHANA

Since December 31, 1981, when a military coup removed a popularly-elected government functioning under a constitution, Ghana has been ruled by a small Provisional National Defense Council (PNDC). A split in this ruling council apparently led to an unsuccessful coup attempt on November 23, 1982. These events have yet to lead to changes in government policy. The rulers purport to hold power in trust for the Ghanaian people while striving to establish "participatory democracy" through a network of defense committees in communities, workplaces, and units of the armed forces. The professional and middle classes are generally not included within the definition of "the people" and in most cases are not eligible to participate in the defense committees. Although the rulers of Ghana have not defined their ideology, their actions support a mixed economy, a strengthening of the welfare state, and a Marxist view of history and society. The regime maintains that economic questions take priority over individual, civil and political rights. The defense committees and certain radical movements exert influence within and pressure on the Government to transform society and deal harshly with "anti-revolutionaries".

There were 183 "unresolved murders" in 1982, according to Ghana's Association of Recognized Professional Bodies, some reports of disappearance or torture, and frequent reports of mistreatment. A continuing investigation by an independent Special Investigations Board into the murders in June of three high court judges has implicated two men who were then members of the ruling council. Under a new "protective custody" law, persons may be detained indefinitely without charge. An accused person may still be accorded due process in the regular courts, but falls short of it in the newly established public tribunals. Freedom of speech and the press has been limited by the intimidating atmosphere and government ownership or control of the media. Freedom of association continues, but the Government permitted a violent takeover of the Trades Union Congress and attacks on lawyers and other professionals. Freedom of religion continues. Freedom of movement is increasingly controlled by the curfew and the closure of the land borders. Participation in the political process has been virtually eliminated for the present by the dissolution of parliament and proscription of political parties.

The Government is generally unable or unwilling to protect its opponents against human rights violations by its supporters, but it has not totally ignored the expression of human rights concerns by indigenous and foreign organizations. Consequently human rights violations are less serious than they might otherwise be. Free institutions and respect for individual rights are strongly rooted in Ghana, and have not been completely eliminated by the current "revolution."

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

The Association of Recognized Professional Bodies published a list in July 1982 of 183 persons killed whose murders remain unsolved. Among these were three high court judges and a retired army major who was a personnel director at a state-owned corporation, abducted from their homes June 30 just before curfew and found dead the next day in a military training area. The circumstances of these murders suggested the involvement of soldiers or other officials of the Government. The PNDC has condemned these killings and in response to domestic and international calls for an impartial investigation, established an impartial and distinguished Special Investigation Board to probe the killings. On December 20 the Attorney-General said the Board's interim report identified one former member of the ruling council as directly involved in the murders and implicated another former member. Both were on the ruling council at the time of the killings. The investigation is continuing. The Government does not dispute that there have been killings in the name of the revolution. It is not clear whether the Government has the will or ability to prevent or punish such murders when committed by its supporters against its opponents.

b. Disappearance

There are occasional reports of disappearances, which generally prove to be killings, arrests, or departures from Ghana.

c. Torture

There are a few reports of torture or maltreatment by the authorities in connection with arrests or interrogations. No one has been punished for torture of another individual.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

There are frequent reports of beatings in the course of arrest or interrogation in military guardrooms and jails throughout the country, especially at the guardroom at Gondar Barracks, where the offices of the Chief of the Defense Staff and the headquarters of the Navy and Air Force are located. Border guards frequently beat persons caught smuggling. Prison conditions are austere.

For the past several months of the year, political prisoners have been treated more harshly than ordinary criminals; they have not, for example, been permitted family visits.

e. Arbitrary Arrest and Imprisonment

When the PNDC took power all former ministers and deputy ministers, all members of parliament, including opposition party members, and activists of the former ruling People's National Party were directed to turn themselves in to the police. In January the PNDC decreed a "protective custody" law empowering it to detain people for their own safety or the security of the state, and 492 people were named as having been detained. Most of these were soon released. After sporadic releases over several months including the release of 22 persons on December 31, 1982, it is estimated that about 26 persons remain in custody, although no current list is available. These include the former president and vice-president and about nine former ministers. There are also some members of the previous regime's military intelligence who have been in custody during most of 1982. After the coup attempt of November 23 about 22 persons were arrested.

The Government has stated that it will soon release detainees if there is no case against them, or else try them before the public tribunal. Habeas corpus, which is available to ordinary criminal defendents, is not available to any of these detainees, nor is there any legal limit to the length of time a person may be held without charge following arrest. About 30 people convicted of various economic crimes in 1979 by the special tribunal of the Armed Forces Revolutionary Council in "trials" generally lacking in due process, remain in prison. A few military officers who unsuccessfully opposed the June 4, 1979 coup also remain in prison.

f. Denial of Fair Public Trial

A defendant in the regular court system is not abused. He or she has the right to effective counsel, and is usually charged within a short period of time. Defendants whose English (the official language of the courts) is inadequate are entitled to an interpreter. There are credible allegations that some lower court judges take bribes, and therefore wealthy defendants have a better chance than poor ones. Both judges and lawyers are independent from the Government, although there is an atmosphere of intimidation, and occasional physical interference with the courts by soldiers or "people's defense committees". In July the PNDC created a public tribunal to try various economic and security offenses, some of which were not considered to be offenses when committed. The members of the tribunal are inexperienced and "revolutionary", and neither of the two lawyers has the five years standing as a lawyer required by the law itself for at least one member of the tribunal. The accused is permitted the counsel of his choice, but the Ghana Bar Association has refused participation in the tribunal because of the lack of due process. The tribunal is guided by the rules of "natural justice", but not the rules of evidence, which it regards as mere technicalities. Its sentences have been lengthy and its fines heavy. Initially there was no appeal from these verdicts, but the PNDC amended the law to empower itself to review sentences, and has in fact reduced some.

In July the PNDC also established a special military tribunal to discipline soldiers for harassing and mistreating civilians. The trials are to be summary with no appeal. Civilians may be tried if they are involved with soldiers in these crimes. No trials have yet been reported.

g. Invasion of the Home

Normally an official would require a warrant to enter a private residence, but there are frequent newspaper reports that members of defense committees or police and soldiers have broken into private homes in search of "hoarded goods".

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech and the press were restricted considerably in 1982. The atmosphere of intimidation fostered by the Government and its radical supporters discourages most people from expressing opposition to the "revolution". On the other hand, some important political issues are discussed seriously and openly as long as they are couched in terms acceptable to the regime. Some criticism of the Government is permitted, particularly of civil servants who are alleged to be corrupt or obstructing the revolution, or of soldiers who are molesting civilians. Some PNDC secretaries (cabinet level posts) have been criticized for incompetence or lack of commitment to the revolution. Criticism of the PNDC Chairman is not permitted.

The Government owns the radio and television facilities, the Ghana News Agency, the two daily newspapers, the "Times" and the "Graphic", and two weeklies. Under the Third Republic there was an independent press commission to act as a buffer between the Government and the media, which was required to present alternative views. There were also independent weekly newspapers which presented a variety of views. The PNDC has removed these constraints on its influence over the publicly owned media. In a January 2 press conference, PNDC Chairman Rawlings ordered the media to back the "revolution". A mob inspired by the PNDC beseiged the offices of the "Graphic" to complain about the editor's lukewarm support of the "revolution". Shortly thereafter the editors were placed on indefinite leave and a new, "revolutionary" editor appointed. The radical editor of the "Times" was confirmed in office, while a new "revolutionary" managing director was appointed for the Ghana Broadcasting Corporation. Since then the insufficiently "revolutionary" journalists working for the government media have been fired, placed on indefinite leave, or restricted. Although the PNDC claims publicly that the government-owned press is free, in fact the PNDC provides regular guidance to the media. The private press has been under heavy pressure from the Government. The publisher of "Unipress," who had feuded with Rawlings, fled the country to avoid arrest and the PNDC passed a law to confiscate his publishing company. The publisher of "Punch" newspaper also fled the country to avoid arrest. The "Echo", which had been both the most widely circulated weekly and the most outspoken in its criticism of the PNDC and the radicals, was ransacked on July 30, 1982. The publishers sacked the editor, and the Echo began to publish editorials supplied by the Ministry of Information, which also cleared its articles. The former editor fled the country. The editor of "The Believer", a weekly supportive of the "revolution" but not its excesses, was beaten and his offices ransacked on July 30. He fled Ghana. The atmosphere of intimidation imposes self-censorship on the remaining private media. Foreign exchange constraints and the Government's control over import licenses enable the Government to decide which newspaper will receive newsprint and spare parts to continue publication. In October the PNDC required publishers to obtain a license to publish, further strengthening the Government's control. Many prominent Ghanaians assume that their mail, particularly international mail, is subject to examination.

b. Freedom of Peaceful Assembly and Association

Police permits are generally required and granted for public meetings. The PNDC and radical individuals and groups pressured the secretary-general of the Trade Union Congress to resign in February 1982, and then took over the hall of trade unions on April 29, expelled the freely elected leadership of the union and its 17 national unions, and established interim management committees for these bodies. Not only did the PNDC fail to protect the union against this action; armed soldiers in civilian clothing were in the mob, and the PNDC soon thereafter recognized the new leadership. At the International Labor Organization meeting in June 1982 the PNDC promised to restore free elections to trade unions. Elections have not yet been held. The Government has also established workers defense committees at workplaces parallel with and in a supervisory position over local trade unions. Citing harsh economic circumstances, the PNDC has limited collective bargaining by refusing to permit the implementation of collective agreements, and has discouraged strikes. The industrial and services sectors of the economy, including the civil service, are unionized.

The Association of Recognized Professional Bodies, including 11 professional groups, is permitted to organize and to meet, but is bitterly criticized by the regime and radicals. On July 21 the association complained of a "systematic campaign of hate setting the so-called rich against the so-called poor. Professionals are described as parasites and hunted like animals". On July 30, two days after professionals conducted a peaceful demonstration against the murders of the judges, a radical mob invaded the Freemason's lodge where professionals were said to plot their "crimes" against the people.

Unions and professional bodies are permitted to maintain relations with recognized international bodies in these fields.

c. Freedom of Religion

There is no state or otherwise-favored religion. The open practice of religion is permitted and there are no restrictions on religious ceremonies or teaching. Church leaders have sharply criticized the Government's record, particularly in human rights, and have in turn been attacked in the government-owned press. However, freedom to practice one's religion remains unimpeded. There is no single dominant religion, only various Christian, Muslim, and indigenous sects. None is persecuted, nor given special advantage.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Domestic movement is inhibited by police checkpoints outside major towns, and since the December 31, 1981 coup by a nationwide curfew. Ghana is a member of the Economic Community of West African States, and its citizens can nominally travel to neighboring states without a passport. Since September 21, Ghana's land borders have been closed, effectively preventing most Ghanaians from foreign travel. Persons released from preventive custody must obtain police approval before traveling. Generally, however, there is no ban to emigration or to repatriation.

e. Freedom To Participate In the Political Process

The small group who directed the December 31, 1981 coup rule

Ghana in the name of the PNDC. The previously existing political parties were proscribed, and no new ones have been allowed. The People's Defense Committees are sometimes described by the regime as the basis for a new "participatory" democracy. Their elections are restricted to the lower classes, held in public, and their leaders approved by the Government. Radical movements such as the June 4 Movement, the New Democratic Movement, and the People's Revolutionary League, have allies in the Government and exert some influence on it.

There is one woman among the seven PNDC members, and one among the 23 PNDC secretaries (equivalent to ministers), as well as similar token levels of female participation elsewhere in the Government. There is no problem with exclusion of any ethnic minority from Government. However, many Ghanaians believe that the present Government is dominated by the Ewe tribe, which forms about 13 percent of the population.

3. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Ghana participates in the work of the UN Human Rights Commission. When the radicals took over the Trade Union Congress on April 29, 1982, the Organization of African Trade Union Unity and the International Confederation of Free Trade Unions expressed concern. Ghana did not react. Subsequently, to head off complaints by the International Labor Organization it agreed to restore trade union democracy. This has not been done. After the killings of the judges, the Ghana Bar Association, the professional association, and the churches called for an independent inquiry. So did the Lagos-based African Bar Association, which sent a delegation to Accra and met with Chairman Rawlings. The PNDC agreed to an inquiry. However, radical groups soon attacked the motives of these organizations, and organized demonstrations against the professionals. Similarly, after the bar association rejected participation in the public tribunals on human rights the Government did not reply directly, but the government-owned media, radical groups, and defense committees bitterly attacked the association and ransacked the offices of five lawyers in a regional capital, an action criticized by the PNDC Chairman as "undemocratic". In late November and early December 1982 the Christian Council of Ghana and the Catholic Bishops Conference of Ghana issued statements criticizing the human rights violations of the Government, and were in turn sharply criticized in the government-owned press. On December 13 the National Secretariat of the National Union of Ghana Students issued a statement criticizing human rights abuses, and calling for the end of press censorship. These institutions and professional groups, drawing on a Ghanaian tradition of respect for human rights, have had some success in inhibiting violations of human rights.

4. Economic, Social, and Cultural Situation

Ghana is a developing country of about 12,531,000 citizens (1981 estimate). The population is growing at 3.3 percent (1980). Life expectancy at birth is 50, and infant mortality is 102.8 per 1000 live births. The gross national product per capita, estimated in 1980 at $421, has been steadily declining for a decade.

Ghana has a mixed economy which the Government attempts to tightly regulate. Most agriculture, including production in the key cocoa sector, is owned by small farmers, but the Government maintains a monopoly over cocoa purchasing. There is also a substantial private trading sector. The Government owns many enterprises in the manufacturing and mining sectors.

Ghana's economic situation may be briefly summarized as follows. It is well endowed with natural resources (gold, timber, manganese, bauxite, cocoa, arable land, hydro-electric power and small petroleum production) and has a generally well-educated population. However, successive governments made little effort to reform the economy. Large budget deficits induced inflation in excess of 100 percent, and made the cedi one of the most overvalued currencies in the world. Inflation and overvaluation raised production costs, at official exchange rates, above world prices, leading to a steady decline in export and foreign exchange earnings. The consequent reduction in imports cut industrial activity to 10-15 percent of capacity, increased unemployment and emigration and reduced the availability of essential goods to hardship levels.

In 1970, adult literacy was 30.2 percent, and in 1978 primary school enrollment was 71 percent. In 1975, 35 percent had access to safe water, and in 1977 the ratio of calorie supply to nutritional requirements was 86 percent. There are still traditions which limit women's access to the benefits of Government, although women control much of the important distribution sector. There is no racial or religious discrimination in meeting the population's economic and social needs. The right to own property alone or with others is generally protected but under the PNDC's rule, goods and property have been subject to seizure or confiscation without due process of law.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: GHANA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	27.5	25.8	16.9
LOANS...............	19.1	12.1	7.0
GRANTS..............	8.4	13.7	9.9
A.AID	10.0	5.0	1.4
LOANS...............	7.0	0.0	0.0
GRANTS..............	3.0	5.0	1.4
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	15.7	19.0	13.3
LOANS...............	12.1	12.1	7.0
GRANTS..............	3.6	6.9	6.3
TITLE I-TOTAL..........	12.1	12.1	7.0
REPAY. IN $-LOANS.....	12.1	12.1	7.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	3.6	6.9	6.3
E.RELIEF.EC.DEV & WFP.	0.9	0.9	1.8
VOL.RELIEF AGENCY.....	2.7	6.0	4.5
C.OTHER ECON. ASSIST...	1.8	1.8	2.2
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.8	1.8	2.2
PEACE CORPS......	1.8	1.8	2.2
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.2	0.2	0.3
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.2	0.2	0.3
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.2	0.2	0.3
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	27.7	26.0	17.2
LOANS...............	19.1	12.1	7.0
GRANTS..............	8.6	13.9	10.2
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES *

	1980	1981	1982	1946-82
TOTAL........	74.7	2.3	2.5	469.7
IBRD	0.0	0.0	0.0	190.5
IFC	0.0	0.0	0.0	0.0
IDA	54.5	0.0	0.0	180.9
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	9.7	0.0	0.0	29.5
UNDP	2.3	1.5	0.0	39.8
OTHER-UN	2.2	0.8	2.5	13.0
EEC	6.0	0.0	0.0	16.0

GUINEA

The People's Revolutionary Republic of Guinea is a one-party socialist state. Ahmed Sekou Toure has been the nation's president since Guinea broke away from the French community and declared its independence in 1958. The party-state, under the direction of President Toure, remains the supreme authority. The Government's concern with its security in years past led to the arrest and imprisonment of many suspect persons, some of whom were condemned and executed.

A general amnesty of all Guinean exiles was declared in July 1977, and thousands of emigrants returned to Guinea. The Government's concerns for its security were lessened in March 1978 with normalization of Guinea's relations with neighboring Senegal and Ivory Coast. The more relaxed climate is reflected in many aspects of Guinean political, economic, and social life. Internal security controls have been loosened, and international movement of goods and people has been eased. An attempted assassination of President Toure on May 14, 1980, reports of attempted sabotage at Conakry airport in February 1981, and an alleged attempt to attack the President in the spring of 1982 have not prompted the Government to impose extreme police measures.

Guinea is a resource-rich, but economically underdeveloped country. Its agricultural sector, which produces mostly at subsistence levels, provides the livelihood for over 80 percent of the population and contributes nearly two-fifths of the gross domestic product. The modern sector consists of a few mining enclaves, which generate nearly all of Guinea's foreign exchange, and a variety of state industrial, agro-industrial and commercial enterprises. At independence the Government implemented state ownership of the means of production and centralized economic decision-making. The replacement of private market-oriented agriculture with agricultural collectives may have been a factor in serious shortfalls in production. Large investments in the public sector have contributed to inflation and balance of payments difficulties. During the past two years, the Government has undertaken cautious steps toward economic reform. It has opened private retail and wholesale trade for some agricultural products, developed an investment code, decentralized some state holding companies and established a ministry of small and medium-sized industries.

The party-state emphasizes the "rights of the people" over the rights of the individual. Nonetheless, the Government in January 1978 ratified the International Covenant of Economic, Social, and Cultural Rights. The Government regularly emphasizes the individual's duty to the revolution, to the party-state and to the people. The Government maintains broad police powers and an extensive security apparatus.

Although exact information is not available, the number of political prisoners has been sharply reduced over the past several years. There have been no reports of political detentions during 1982, and barring a major government-perceived threat to internal security, the indications for both the short and long term are of continuing reductions in the number of political prisoners in Guinea.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

During 1982, there have been no reports of executions for political offenses, assassinations, or terrorist activity in Guinea. The death sentence of a former minister convicted on criminal charges was commuted to 15 years of hard labor, while six others sentenced to hard labor in the same case were amnestied.

b. Disappearance

Arrests and detentions by security forces in Guinea are not publicized, but news of their occurrence seems to have had no difficulty finding its way throughout the community. No reports of prolonged or permanent disappearance have been received in 1982.

c. Torture

Torture is not prohibited by Guinean law. Although torture has occurred in the past, no cases have been reported during the past year.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Prison conditions in Guinea generally are poor. Police handling of suspects is frequently rough. Ill treatment and poor conditions in Guinean prisons are a recognized feature of the prison system, and conditions are most difficult for those held in solitary confinement. Prisoners not held in solitary confinement can usually receive food from family or friends. There is evidence that some categories of prisoners are allowed to leave prison during the day on work assignments. There are no reports that treatment of prisoners differs according to social class, race, sex, or religion. Prisoners released during the past few years have spoken of efforts to improve their prison food and their physical condition. The Government of Guinea permitted Amnesty International access to some detainees in December 1981.

e. Arbitrary Arrest and Imprisonment

There is no legal prohibition against "preventive detention" and no provision for habeas corpus. Persons can be arrested and held without charge and without sentencing. There have been reports of such actions by the state in the past year. A number of arrests and detentions followed the attempted assassination of President Toure in May 1980, and a reported sabotage attempt at Conakry airport in February 1981. However, those seem to have been handled as normal public security (rather than political) investigations.

It is believed that about 1,000 prisoners have been released since 1977. In 1980 the Government released more prisoners, including three former senior officials in November. Most persons arrested during the February 1981 incident appear to have been released, although some may still be held.

f. Denial of Fair Public Trial

Although citizens have access to the courts, most civil complaints are handled at the local tribal level under traditional procedures. This procedure corresponds to African tradition and provides considerable scope for testimony by plaintiffs, defendants and witnesses. Guinean courts are controlled by the party-state. In civil and criminal cases, constitutional and statutory procedures exist, but do not seem to be consistently applied. Guinean law does not permit professional lawyers to practice privately. However, counsel is available from government rosters of private or official persons deemed qualified to serve as people's lawyers. Defendants have the right to legal counsel, which is provided when they so request or when the Government decides to appoint counsel from a government roster. Those charged with security or political offenses do not have benefit of counsel. They are required to make their own defense without being aware of the charges or evidence against them. However, no political trials are known to have taken place in Guinea since 1976.

g. Invasion of the Home

Police may enter homes without warrants to pursue suspects or to obtain evidence, but it is not possible to determine how often this practice actually occurs.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Although there is little freedom of expression in Guinea, the various party-state mechanisms throughout the country offer channels of communication between the Government and the governed. Participation in the party mechanism at the local level is great, and the party strives to build consensus on issues before referring them to the next larger regional office. This system accommodates a limited degree of dissent and opposition. Criticism of party policies, and, to a lesser extent, high-level individuals is tolerated. When abuses of power are being discussed, criticism is even encouraged. While the President himself is rarely criticized publicly, policy execution is freely discussed. When unpopular decisions are made and implemented, government officials (below the President) can and do become the objects of public criticism.

As all media are owned and controlled by the Government or party and are staffed only by government journalists and officials, post-publication censorship does not occur. Self-censorship by authors of domestic books and artistic works exists, however, as writers and artists generally are well aware of what would and would not be permitted. Self-censorship occurs largely in subjects involving criticism of Guinea, of countries with which it has friendly relations, and of movements and policies supported by the Government. There are no reported recent instances in which private authors have overstepped government guidelines. In films, violence, sexual explicitness, and scenes considered to mock or undermine Guinean values are not shown. International mail is often opened, and foreign publications must be cleared by the Ministry of Interior. Publications distributed by diplomatic missions are cleared by the Ministry of Foreign Affairs. Certain foreign publications are banned and have been confiscated from persons trying to bring them into the country. Contacts between Guineans and diplomats are theoretically subject to control and although some official attention may be paid to activities of diplomats in Guinea and to those Guineans who are suspect, it appears to be more relaxed than in the past. Most surveillance appears aimed at controlling fraudulent or criminal commercial activity, e.g., illegal currency exchanges, rather than at curbing undesired political activity.

b. Freedom of Peaceful Assembly and Association

Public meetings are largely organized under the auspices of the party-state, and no meetings by opposition groups are allowed. All Guinean workers in state enterprises, mixed and private companies are required to join the government controlled National Confederation of Guinean Workers. No other labor union is permitted to operate. Guinea's sole political party, the Parti Democratique de Guinee, has its origin in the labor movement. Unions now play a much less visible role in Guinean political and economic life.

At the enterprise level, unions exist in the form of worker organizations. Each enterprise has a Worker Committee which consists of seven employees elected by their coworkers. The committees oversee employee-management relations, settle employee disputes, hear grievances and serve as a link between firms and political organizations. Problems that cannot be resolved by the committee are referred to workers' organizations at higher levels: arrondissement, regional and national. Strikes have been forbidden since independence. The majority of Guinean workers are employed in state enterprises and are expected to participate in the enterprise labor organizations. Any union member is eligible to hold office in the union. Union leaders are elected from a slate of names comprising the more experienced workers, and drawn up by the Parti Democratique de Guinee.

c. Freedom of Religion

Although Islam is officially supported, Christianity is fully accepted by the state. There has been no evidence of persecution or discrimination on the basis of religion, nor does adherence to a particular faith confer any particular advantages or disadvantages in Guinea.

Sects within Islam (brotherhoods) are not currently prohibited by law. The preamble to the Constitution proclaims the "equality and solidarity of all nationals without regard to race, sex, or religion"; articles 41 and 45 forbid discrimination on racial or religious grounds. However, in the early days of independence, the party, in an effort to create a national unity, launched campaigns to demystify animism and eliminate "maraboutism" from Islamic practices. Brotherhoods were deemed to be divisive. It appears that the early campaigns were successful, and brotherhoods do not exist in Guinea.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Freedom of movement, while traditionally a part of African custom, is not guaranteed by Guinean law. Families and tribal groups are frequently located across national frontiers, and substantial movement back and forth has been permitted and observed in recent years. Legal entry into and exit from the country remains subject to control, but enforcement has become notably relaxed, except for those who, in the Government's view, might pose threats to the state. Many former Guinean exiles, primarily those who departed for economic reasons, have returned since the general amnesty of all "exiles" was announced in 1977.

Internal movement remains, as it has for the past several years, substantially free. Documents are often required, but are readily obtainable and do not present unreasonable difficulties for Guinean travellers or foreigners within the country. Women and other groups are subject to the same rules in matters of internal travel, emigration and repatriation.

e. Freedom to Participate in the Political Process

Participation in the political process is restricted to the confines of Guinea's strong one-party system. However, all Guineans are strongly encouraged by the leaders to participate in the "continuing revolution" which the party-state conducts in their name under the direction of President Toure. It is difficult for the individual to avoid taking part in the party-controlled political activity which guides most aspects of national life.

President Toure was unanimously elected in May 1982 for a seven-year term as the only candidate put forth by the National Revolution Council, a body which supervises the various party-state organizations. The Council is elected from a slate proposed by the 15-member national political bureau, the highest leadership organ in the party-state. The 15 members of the bureau are selected by the Secretary-General of the party (President Toure) from the 75-member central committee (decision making organ v. leadership organ), which in turn is elected by the national congress of the party.

The political role of women in Guinea matches the significant influence and power which they enjoy in economic life. Women traditionally have been a large, articulate, and faithful political group in President Toure's power base, and on occasion have demonstrated the will and capability to influence policy.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights.

In December 1981, representatives of Amnesty International's London office visited Conakry and met with government officials. Amnesty's 1982 report noted that the Amnesty representatives had discussed concerns regarding Guinea, including detention without trial of suspected political opponents of the Government, the forcible repatriation of refugees, ill treatment of detainees, and poor prison conditions.

The Government of Guinea continues to reject charges leveled by the International League for Human Rights and Amnesty International regarding political prisoners and their treatment. The President came under strong attack on the issue of human rights by the French press during a visit to France in September 1982. On that occasion, as well as after the release of the 1982 Amnesty report, the President and state-controlled media have maintained that persons imprisoned after the abortive invasion in 1972 and more recent attempts against the security of the President and state are traitors and enemies of the people rather than political prisoners. Following on Amnesty's visit to Conakry in December 1981, the President announced his willingness to allow another international inquiry into human rights violations in his country.

4. Economic, Social, and Cultural Circumstances

Guinea's estimated per capita GNP was $293 in 1980. This does not accurately reflect the fact that most of Guinea's population is essentially outside the money economy and is largely self-sufficient in foodstuffs. In 1980, 74 percent of the population was estimated to be rural. Private commerce, allowed since 1977, has continued to bring more goods into the parallel non-official market place -- although at relatively high prices. Occasional government efforts to enforce official prices, however, tend to provoke withdrawal of goods from the normally flourishing parallel market. Compared with earlier years, a gradually expanding range of food and consumer goods is available. The preliminary signs of an improved standard of living noted during the past two years remain in evidence.

The Government of Guinea has devoted the largest share (26 percent) of the latest five-year plan budget to the agro-pastoral sector, but agricultural development and food production continue to lag. In 1977 the calorie supply available for consumption relative to nutritional requirement was 84 percent.

Life expectancy at birth rose from 38.5 years in 1968 to 44.5 in 1980. Infant mortality, however, rose from 141 per 1,000 in 1960 to 165 per 1,000 in 1980. Infant mortality may be linked to poor nutrition and sanitary conditions as well as to a higher birth rate. Even with the high rate of infant mortality, the overall population growth rate was 2.9

percent in 1980.

About 44 percent of the urban population has access to a safe water supply, but this drops to 2.5 percent for the rural population. The Government has a nationwide program for improving the rural population's access to safe water that concentrated initially on improving wells and springs in the Foutah Djallon region. Its goal is to provide safe water within a reasonable distance from each village in the country.

Education is free and open to all. Since independence, Guinea has implemented a far-reaching educational reform program, using local languages as the medium of instruction at the primary level. Total enrollment at primary, secondary and higher education levels was estimated to be 450,000 students in 1981 as compared with 45,000 in 1958. University programs are offered by two polytechnic institutes, three agricultural institutes, one teacher training institute and one mining institute with faculties in at least 20 of the 33 administrative regions. The national service of "tele-enseignement" offers adult education courses by radio reaching an estimated 250,000 listeners. In September 1982 the Government also launched an adult literacy program among workers in industrial and agro-industrial installations. As a result, Guinean officials report about 20 percent of the population is literate in French and about 48 percent in one or more of the Guinean national languages.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: GUINEA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	11.4	10.5	6.0
LOANS..............	5.7	6.6	4.8
GRANTS.............	5.7	3.9	1.2
A.AID	5.2	2.8	1.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	5.2	2.8	1.1
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	6.2	7.7	4.9
LOANS..............	5.7	6.6	4.8
GRANTS.............	0.5	1.1	0.1
TITLE I-TOTAL..........	5.7	6.6	4.8
REPAY. IN S-LOANS.....	5.7	6.6	4.8
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.5	1.1	0.1
E.RELIEF.EC.DEV & WFP.	0.5	1.1	0.1
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	11.4	10.5	6.0
LOANS..............	5.7	6.6	4.8
GRANTS.............	5.7	3.9	1.2
OTHER US LOANS..........	6.0	0.0	0.0
EX-IM BANK LOANS.......	6.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	10.4	17.2	40.0	270.1
IBRD	0.0	0.0	0.0	73.5
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	65.9
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	5.1	11.5	0.0	30.4
UNDP	5.3	1.3	0.0	46.8
OTHER-UN	0.0	0.0	0.0	9.1
EEC	0.0	4.4	40.0	44.4

GUINEA-BISSAU

Guinea-Bissau is ruled by a small committee of party members using the instrumentalities of the state and party. The Government is headed by a prime minister subject to the supervision of a national revolutionary council composed mainly of military officers. Brigadier Joao Bernardo Vieira, who gained power in a coup in November 1980, remains President of this council and Head of State. The electoral and constitutional commissions and party committees established following the November 1981 national congress of the single political party, the African Party for the Independence of Guinea-Bissau and Cape Verde, continued their work throughout 1982. It has been stated that these commissions are preparing the way for national elections, a new constitution, and the formation of a permanent governmental structure. The earlier political institutions including the legislature were dissolved following the 1980 coup.

The fundamental orientation of state policy is towards government direction of the economy and society. Most of the enterprises in the industrial sector are state owned. There is a small private commercial retail sector. Steadily worsening economic conditions and the lack of success in dealing with them through a government directed economy have caused the Government to rethink its economic policy. The party platform adopted at the last party congress for the first time acknowledges the need for a viable private sector to bolster economic growth, and a newly created economic council has endorsed a series of reform measures including steps to stimulate private activity.

In 1982 additional members of the Luis Cabral Government -- imprisoned without trial following the November 1980 coup d'etat -- were freed, leaving a small group still in prison. New arrests and detentions in 1982 included three former officials of the regime (one of them a minister) accused of coup plotting. The Government has stated the former minister will be brought to trial in the near future.

Observers generally hold that the human rights performance of the present Government represents some improvement over the record of the government it replaced. Some of the arbitrariness within the security system has been eased, although it has not been entirely eliminated, and in times of political tension (such as during the coup attempt in neighboring Gambia) government control is tightened. However, people are freer to travel now within the country, and do not need special permits which were required under the Cabral regime. There have been no reports of assassinations by security forces, and instances of arbitrary arrest are noticeably less frequent.

Guinea-Bissau is among the least developed countries in the world. The GNP per capita in 1980 was estimated at $162.

1. Respect for the Integrity of the Person, Including Freedom from:

   a. Killing

There are no known instances of the Government being responsible for killings in 1982. There have been no terrorist incidents in Guinea-Bissau in recent times.

b. Disappearance

Disappearances are not a current problem in Guinea-Bissau, and are not known to have occurred during 1982.

c. Torture

There have been no confirmed instances of torture during 1982, although opposition groups abroad have made allegations to the contrary.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Interrogation methods are at times harsh. Prison conditions are generally poor, reflecting the poverty of the country.

e. Arbitrary Arrest and Imprisonment

In some security cases arrests and detention take place without formal safeguards. The absence of printed, accessible civil and criminal legal codes hinders understanding of legal rights and duties. Habeas corpus exists but is not observed in rural village areas where traditional law prevails.

f. Denial of Fair Public Trail

Most non-political offenders in other than the most important criminal and civil cases are tried in rural areas outside the formal courts and under traditional law. The following information applies to the modern legal system. There is no private legal profession in Guinea-Bissau. Defendants are assigned legal assistants from the Ministry of Justice. The court system operates as part of the state apparatus rather than as an independent branch of government. The civilian courts are essentially a continuation of those under Portuguese colonial rule. The supreme court is the highest civilian court of appeal. Regional military courts have jurisdiction over military, militia, and security personnel on military missions. The supreme court (also known as the war court) has jurisdiction over more serious crimes such as acts against state security, attempts against the lives of party members, treason, and piracy. It is also an appeals court for the regional military courts. The death penalty may be appealed to the council of state. The interval between arrest and trial may be lengthy owing to procedural and political delays.

g. Invasion of the Home

The Constitution guarantees the inviolability of domicile. This right is not respected in cases of serious crimes or matters involving state security, when legal protections such as the need for search warrants and the definition of who can issue and serve them are unlikely to be observed.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

All national information media in Guinea-Bissau are government owned and controlled. Direct criticism of the Government and official leaders is not permitted, and journalism is regarded as simply another sector of government and party activity. At the village level, discussion between citizens and their government is frequently frank and has occasionally led to the removal of government officials. On the national level no expression of political opposition to the party is tolerated.

b. Freedom of Peaceful Assembly and Association

All organizations and associations in Guinea-Bissau are integral parts of either the state or the party. The national labor union is a mass-action organ of the party. It claims only 20,000 members. It is forbidden to organize public employees - a prohibition dating from colonial days. Strikes, while not illegal, are unheard of.

c. Freedom of Religion

There is no religious discrimination. The majority of the population is animist, but other religions exist and their worship is unimpeded. Religious missions also operate secular activities throughout the country.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

There are few restrictions on the freedom of movement within the country or on travel abroad. People no longer are required to obtain special permits for internal travel as was the case under the Cabral Government. The principal constraints on foreign travel appear to be economic and administrative, and are caused primarily by the lack of foreign exchange. There are no known bars to emigration. Since the country's borders are not rigidly controlled, there is believed to be a degree of unrecorded cross-border movement. There are no significant refugee groups in Guinea-Bissau. The Government, sensitive to its people's own past history of receiving haven in neighboring countries, is generally sympathetic to the principle of asylum. There is no sexual or other discrimination with regard to travel.

e. Freedom to Participate in the Political Process

The political process in Guinea-Bissau can best be described as rule by a small committee of party members utilizing the instrumentalities of the state and party. All participation in the political process in Guinea-Bissau must, legally, take the form of activity within the single political party. The highest organ of the party, its central committee is subject to the national revolutionary council, composed mainly of military officers, but the two institutions have overlapping membership. Both state and party vigorously assert the role of women in national development and political and revolutionary tasks. The party and local organs by statute must have a stated proportion of women office holders. In practice, women do not occupy many prominent positions at the national and regional level.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Guinea-Bissau has not been active in international or regional human rights bodies. It has no record of sustained involvement with outside bodies concerned with human rights. In 1982 Amnesty International in its report on events in 1981 expressed concern about the detention without trials of officials of the former administration and of alleged political opponents of the Government. No response to its inquiries on the fate of these people was received. However, many of the detainees were subsequently released.

4. Economic, Social, and Cultural Situation

Guinea-Bissau is among the least developed countries in the world. It has a population approaching one million, growing at a rate of about 1.8 percent. The GNP per capita in 1980 was estimated at $162. Life expectancy at birth is 42 years, and the infant mortality rate is 148.5 per 1,000 live births. Probably no more than 10 percent of the population has access to safe water. The primary school enrollment rate is said to be 96 percent and the adult literacy rate is seven percent. The Government since independence in 1974 has placed economic development among its highest priorities. Progress toward these objectives has been hindered by a deficient infrastructure, shortages in trained manpower, inadequacies in administration and development planning capabilities, and a dearth of natural resources beyond a general sufficiency of water and tillable land. An assessment of off-shore petroleum prospects is in a preliminary stage.

Foreign economic assistance to Guinea-Bissau has been substantial since 1974, but the rate of absorption of international and local development investment is low. Acknowledging that it faces an economic crisis, the Government in 1982 has taken a number of steps toward reexamining the viability of various state enterprises and has reshuffled the leadership of the country's economic and financial entities. Previous tentative steps toward granting some recognition to the productive role of private initiative have received additional impetus.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: GUINEA-BISSAU

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	2.1	7.4	4.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	2.1	7.4	4.1
A.AID	1.7	1.9	2.4
LOANS..............	0.0	0.0	0.0
GRANTS.............	1.7	1.9	2.4
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.4	5.5	1.7
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.4	5.5	1.7
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.4	5.5	1.7
E.RELIEF.EC.DEV & WFP.	0.4	5.5	1.7
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	2.1	7.4	4.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	2.1	7.4	4.1
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	6.5	0.5	8.4	46.2
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	9.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	5.6	0.0	8.2	28.2
UNDP	0.9	0.5	0.0	7.9
OTHER-UN	0.0	0.0	0.2	1.1
EEC	0.0	0.0	0.0	0.0

IVORY COAST

Ivory Coast is a one-party state. Power is concentrated in the Democratic Party of Ivory Coast, whose longtime leader is President Houphouet-Boigny. The country's first competitive elections for party, legislative, and municipal posts at local and national levels were held in 1980. More open discussions of government policies throughout the country have resulted in such institutions as the Ivorian National Assembly.

Ivory Coast remains a developing country in which some people experience economic hardship. Nonetheless, steady economic growth since independence has, until recently, permitted appreciable annual improvement in the standard of living throughout the country and contributed to widespread support for the policies of the Ivorian Government. During the last year, however, Ivory Coast has been squeezed by a heavy debt burden and low prices for Ivorian export products on the world market. The Government is now introducing austerity measures, the political results of which remain to be seen.

The Ivorian Government has emphasized pragmatism and moderation in its policies. President Houphouet-Boigny, Chief of State since independence and architect of Ivory Coast's economic development, sees himself as an apostle of "dialogue." Houphouet has involved dissenters in the operation of the Ivorian system rather than isolate or imprison them.

In February 1982, two days of student and faculty demonstrations on the university campus in Abidjan evoked speedy and firm government action: the entire higher educational system was temporarily closed down after police arrested hundreds of demonstrators. The Government's efforts to reassert its authority, calm things down, and get students back into classrooms were successful. The basic issues--the drop-out rate, jobs after graduation, funding of programs, freedom to form associations--remain, and have yet to be adequately addressed.

There are no political prisoners in Ivory Coast. There has never been execution of political opponents, and and there is no history of violent action against specific ethnic or religious minorities. Barring a radical change in Government or in existing governmental policies, there is no evidence that this record will not continue.

1. Respect for Integrity of the Person, Including Freedom from:

a. Killing

Amnesty International's 1982 report, reviewing events of 1981, notes that the death penalty for political offenses in Ivory Coast has been abolished. In February 1981, 46 or more Ghanaian residents of Ivory Coast suffocated during a police roundup after having been placed in a small, poorly-ventilated cell. The Ivorian Government conducted an investigation of this incident and arrested the officer responsible although the disposition of his case has not been made public. No further incidents of this type were reported during 1982. There are no reports of any politically-motivated killings either by the Government or by opposition groups.

b. Disappearance

There are no reports of any cases of abduction, secret arrest, or clandestine detention. There have been no allegations of persons disappearing.

c. Torture

The Ivorian penal code prohibits the use of violence by official means unless there is legitimate justification. The code does not, however, specifically mention or prohibit torture, nor does it define what constitutes "legitimate justification" or the level of violence officials may use. There have been no reports of torture during 1982.

d. Cruel, Inhuman, or Degrading Treatment

Paragraph (a) above noted the 1981 incident in which 46 Ghanaians suffocated in a small, unventilated cell. There have been no further incidents of this sort, and it appears to have been an isolated case. Systematically cruel, inhuman, or degrading treatment of individuals or prison inmates is not thought to occur routinely, but foreign Africans are likely to be treated more roughly by police than are Ivorians. Lower level police officials sometimes beat prisoners, risking sanction by ignoring official orders to the contrary. One recent report claims airport officials used a cattle prod during what was presumably an interrogation of an African. Prisoners are allowed visits from attorneys of their choice and family members, who provide food to supplement the sparse prison diet. Prison conditions are poor. There is no evidence of discriminatory treatment of prisoners on the basis of sex, ethnicity, race, or type of crime, once they are committed to prison.

e. Arbitrary Arrest and Imprisonment

The Ivorian Constitution and pertinent statutes prohibit arbitrary arrest or imprisonment and they rarely occur. The Government does occasionally detain individuals it believes may be security threats, sometimes for several months or more. During 1982, it has also taken firm measures against acts it considers threats to internal security, the most public example being the arrest of student demonstrators on the university campus in February 1982.

In May 1981, Amnesty International appealed to the Ivorian Government to release a group of approximately 20 striking television and radio employees who had been drafted into the Army following their reported attempts to damage equipment at the TV station. The strikers were released from the Army in September and returned to their jobs. There appear to have been no subsequent instances of Ivorians being drafted into the Army as a form of extra-judicial punishment. The possibility of being so drafted, however, may be considered by some as a strong disincentive to getting involved in violent anti-government activities. An individual who in 1981 reportedly threw a fire bomb toward President Houphouet was held by the the authorities for several months without charges.

Under the Ivorian penal code, a public prosecutor can detain a suspect for up to 48 hours without bringing charges. Any further detention must be ordered by a magistrate. Magistrates can authorize periods of detention of up to four months, but must provide to the Minister of Justice a monthly written explanation of why detention should be continued.

f. Denial of Fair Public Trial

Ivorian law provides for the right to a fair public trial, and appears to be respected in urban centers except in rare cases. In rural areas justice is often administered at the village level through traditional institutions. The judiciary is independent of the executive and military, and that independence is respected. Defendants have the right to legal counsel, and the Ivorian judicial system provides for court-appointed attorneys to be retained for indigent defendants. In practice, however, such attorneys are not readily available. Appeals of verdicts of civilian courts are made to the court of appeals. Civilians are not tried by military courts. There is no structure of appeals courts within the military justice system. Persons convicted by a military tribunal occasionally request the Supreme Court to set aside the tribunal's verdict and order a retrial.

g. Invasion of the Home

The Code of Penal Procedures specifies the conditions for entry into a private residence. A policeman or investigating magistrate may conduct searches of homes without a warrant, if he has reason to believe there is evidence concerning a crime on the premises. He must have the prosecutor's agreement to retain any objects seized in the search. He is required to have witnesses to the search which may not take place between the hours of 9:00 p.m. and 4:00 a.m. Legal safeguards against arbitrary searches are generally respected in the modern parts of cities. In less-developed urban sectors and in rural areas legal safeguards are sometimes ignored. There were no specific reports of forced entry or other violations of the home during 1982. There were no reports of bugging or similar measures.

S

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Despite Ivory Coast's established one-party system, there is a large measure of freedom of speech. Critics of the Government feel free to express themselves in informal situations, among Ivorians and foreigners alike, without fear of reprisal. Limits have been placed from time to time, however, on the expression of controversial views in public forums.

There were student disorders in February 1982 over what the students termed a curtailment of free speech--i.e., the Government had cancelled previously-scheduled extracurricular lectures and debates because similar events some days earlier had resulted in disorders on campus. The students became so exercised over these cancellations that they built barricades within the university, reportedly roughed-up the rector, and threw stones at passing vehicles. At a critical point in the student strike, the university teachers also went on strike, ostensibly in sympathy for the students, but actually to press demands of their own. The Government thereupon closed the university, evicted students from all dormitories, cut off professors' salaries and student scholarships, withdrew government and party recognition of the university teachers' union, and declared its strike illegal. These measures effectively broke the strikes, and classes resumed shortly afterward, with salaries and scholarships being immediately restored. Since that time, however, only apolitical gatherings are permitted on campus and other university property, and one outspoken student publication has been banned. On the other hand, students still speak freely about politics in informal situations.

All Ivorian students receive generous scholarships from the Government, which cover lodging, food and other expenses. The temporary suspension of these scholarships in February 1982 appears to have been a disincentive to further anti-government activity.

All Ivorian news media are owned or controlled by the sole political party (one daily newspaper, one weekly news magazine) or the Ministry of Information (wire service, radio, TV). The Government's announced policy is for the media to play a positive role in promoting national unity and development. It allows criticism of certain kinds. In practice this means criticism can be made of the shortcomings of policy execution, but not of policies themselves. Foreign publications are readily available and are not seized, even when they criticize the Ivorian Government, the party, and the President. The authorities attempt to suppress distribution of occasional locally-produced anti-government tracts.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly is generallly respected in Ivory Coast. When the Government perceives a significant and immediate danger to public order, however, it prohibits meetings and arrests persons disregarding its orders. Most unions are organized and directed by a government-sponsored umbrella union, the leaders of which occupy important positions in the top organs of the country's single political party. Despite the party's significant influence, unions effectively address workers' concerns. The right to strike exists in theory, but strikes are discouraged in practice. The university teachers' strike of February 1982 was particularly irksome to the Government, as the teachers seemed to be capitalizing on the general disorder in the university to press their own demands. Official recognition was withdrawn from the union, which thereupon ceased to exist as a legal entity. A "negotiating committee" of ex-union leaders has been formed to work things out with the Government, but it has so far not succeeded in getting the union reinstated. Wildcat strikes occur occasionally. If there appeared to be a threat to public order the strikers or their leaders might be detained temporarily. Generally, the Government negotiates with strikers and resolves at least some of their economic grievances. There have been no reports that professional groups have experienced persecution and/or harrassment. The Government, however, attempts to bring them under its wing or that of the party, so as to exercise control over their activities.

c. Freedom of Religion

There are no known impediments to religious expression in Ivory Coast, nor does adherence to any particular faith have any advantages. The open practice of religion is permitted, and there are no restrictions on religious ceremonies or teaching.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Government exercises minimal control over domestic and foreign travel. Checkpoints operate regularly outside major urban areas for verification of personal identification, motor vehicle licenses, insurance papers, and other documents. Ivorians can freely travel abroad and emigrate without distinction as to sex. Ivorians have the right of voluntary repatriation. Ivory Coast's refugee and asylum practices are liberal. The country has resettled or granted safehaven to Angolans, Eritreans, Guineans, Liberians, Indo-Chinese, and Ghanaians. The Ivorian Government issues refugee travel documents which permit refugees to return to Ivory Coast within two years. While in Ivory Coast, they receive one-year renewable resident visas for their first five years in the country, after which they may apply for permanent resident's cards. Ivory Coast does not take any significant responsibility for the economic and social welfare of refugees.

e. Freedom to Participate in the Political Process

Political participation in Ivory Coast is limited to the single Democratic Party of Ivory Coast. Opposition groups do not exist openly and are discouraged. The President is at the center of the party apparatus and keeps most political power in his own hands. He operates through a nine-person executive committee, a 41-person political bureau, and a 100-person steering committee. The President launched a wide-ranging program of democratization in 1980 (within the single party framework). There was intense competition in national assembly elections, in which all citizens were eligible to vote, and about 50 percent of the top local party leaders were voted out of office. In November 1980, contested municipal and national legislative elections also resulted in a significant turnover of elected officials. Members of the national legislative body appear to work in their constituents' interests more vigorously than their predecessors did, and debate within the institutions in which they serve has been more open. Public written criticism of basic governmental policies, or of the President, rarely occurs.

Some Ivorian traditional societies accord women considerable political and economic power. The October 1980 Party Congress devoted a separate section of its final resolution to reiterating and strengthening the official policy of encouraging full participation by women in social, economic, and political life. Women remain, however, very lightly represented at the higher levels of the Government and the party.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government of Ivory Coast has usually been cooperative toward inquiries into its human rights situation. The most recent concerned a published report by Amnesty International in Paris that the Government had drafted striking TV employees into the Army as a form of extrajudicial punishment. The Government at first maintained that these men were simply doing their duty as conscripts. Later, the men appeared in uniform on national television and were told they were being returned to civilian life. Ivory Coast has a chapter of Amnesty International. In their 1982 report, Amnesty International mentioned among its concerns detention without trial, the forcible repatriation of exiles, and ill-treatment of detainees. Freedom House called Ivory Coast "partly free" in 1982.

4. Economic, Social, and Cultural Situation

Ivory Coast's population in 1981 was 8,208,000 with an annual growth rate of 3.4 percent. Per capita GNP is estimated at $1,149 (1980), with life expectancy at birth being 47.1 years. The country's infant mortality rate is 126.8 per 1,000 live births, and its adult literacy rate was 20 percent in 1970, although that figure is undoubtedly higher today. Forty-four percent of the population has access to safe drinking water, and the ratio of calorie supply available for consumption relative to nutritional requirement was 105 percent in 1977. Ivory Coast's primary school enrollment ratio was 74 percent in 1978.

Ivory Coast's population of over 8 million includes at least two million foreign Africans, perhaps as many as 70,000 Lebanese and 45,000 French, and small numbers of other Europeans, North Americans, and Asians. A great disparity exists between the standard of living of foreign residents and the Ivorian elites on the one hand, and the urban poor and villagers on the other. Nonetheless, there is a sizeable, growing urban Ivorian middle class, and living conditions in the villages have improved markedly and steadily during Ivory Coast's 22 years as an independent state. Most villages have wells, and at least three years of primary education are offered in all but small villages. Efforts are being made to consolidate the smallest villages to the minimum size necessary to provide education, health, and other public services. The country has constructed an excellent nationwide network of paved highways, and nearly all Ivorians have access to motorized transportation. In rural areas tribal customs dictate the division of tasks, and these sometimes fall heavily on women. Female circumcision continues to be practiced among elements of the Ivorian population. Individuals have property rights, which tend to be better protected in urban than rural areas. In rural areas land tenure and other property rights are dictated mostly by local custom.

Ivory Coast has a substantial degree of self-sufficiency in food production. While perhaps 50 percent of the rice, 75 percent of red meat, and 100 percent of the wheat are imported, ample supplies of traditional starches, vegetables, fish, and other proteins are available and affordable. Malnutrition sometimes occurs, but there is no evidence of starvation.

Better-paying government and private sector jobs seem to be concentrated among the minority Muslim (25 percent) and Christian (15 percent) populations, a phenomenon more related to urbanization and access to education than to a systematic pattern of discrimination. On the other hand, the Government's policy of Ivorianization requires that all positions be offered to Ivorians before foreigners may accept them. This essentially keeps foreign Africans from most wage and salary jobs in the modern sector. Education absorbs some 40 percent of the operating budget and is generally available to all children, Ivorian and foreign, boys and girls. Health, on the other hand, absorbs only seven to eight percent of the operating budget. Health services are more readily available in cities than in rural areas. During the current period of economic austerity many health centers are operating without medicines and other medical supplies.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: IVORY COAST

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	1.5	1.3	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.5	1.3	0.0
A.AID	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	1.5	1.3	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.5	1.3	0.0
PEACE CORPS......	1.5	1.3	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	1.5	1.3	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.5	1.3	0.0
OTHER US LOANS..........	0.0	95.3	101.1
EX-IM BANK LOANS.......	0.0	95.3	101.1
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	87.9	161.8	325.5	1328.2
IBRD	65.4	151.0	323.5	996.1
IFC	3.4	0.0	0.0	11.4
IDA	0.0	0.0	0.0	7.5
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	15.7
UNDP	2.3	0.0	0.0	35.2
OTHER-UN	0.0	0.8	2.0	7.6
EEC	15.5	10.0	0.0	254.7

KENYA

On June 9, 1982, Kenya formally became a one-party state upon passage of a constitutional amendment making the Kenya African National Union (KANU) Kenya's sole political party. This amendment formalized what had been Kenya's de facto situation since 1969. The range of tolerated political activities in Kenya remains fairly broad, although somewhat more narrow today than in previous years.

President Moi pledged in August 1982 that in the next parliamentary elections (currently scheduled for 1984) up to ten candidates would be allowed on the ballot. In the most recent parliamentary elections (1979), the typical Kenyan constituency had between three and six candidates for election. Approximately 60 percent of the incumbents were defeated, and of the 32 candidates whose electoral victories were challenged in court, seven were ousted. National Kenyan elections have occurred regularly over Kenya's 19 years of independence (1963, 1966, 1969, 1974, and 1979).

On August 1, 1982, armed forces loyal to the Government of Kenya successfully repulsed an attempted coup mounted primarily by elements of the Kenyan Air Force. Kenya thus remains a constitutional polity under civilian rule, but the attempted coup may have seriously damaged Kenya's already fragile mixed economy. It also may have reinforced a trend toward decreasing Government tolerance of dissent. Private enterprise is practiced and encouraged, while the Government attempts to ensure an equitable distribution of public sector resources and expenditures.

Kenya's Constitution promises protection for fundamental rights and liberties, and Kenya's judiciary has consistently exhibited elements of independence and impartiality. Over the past year, Kenya's earlier constraints on the exercise of freedom of the press and assembly have tightened somewhat. However, respect for basic human rights remains a widely practiced tradition in Kenya.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

The August 1 attempted coup included considerable violence in Nairobi, resulting in the deaths of scores of Air Force rebels and looters. There have been no other killings or political executions during 1982. Some banditry continues in the Northeastern Province, but it is not politically-motivated.

b. Disappearance

The Government of Kenya does not sanction secret arrests, abductions, or other types of disappearances. Nonetheless, as a result of the events of August 1, certain members of the Kenyan Air Force and others remain unaccounted for and possibly have been killed, fled to neighboring countries, or are in hiding in the countryside.

c. Torture

Torture is not sanctioned in Kenya. It is specifically forbidden under the Constitution. However, in July 1982, two police officers received five-year sentences for having tortured a prisoner to death; the prisoner's widow received a court award of 250,000 shillings. Also in July, six policemen were charged with having beaten to death an old prisoner in Wajir district; no verdict has yet been returned in this case. There have also been recent allegations with respect to regular police torture and beatings at the police stations in Gatundu and Murang'a. Government authorities are investigating these allegations.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Prison conditions are generally poor, and treatment of prisoners is often harsh. Constitutional provisions, however, explicitly prohibit cruel, inhuman, and degrading treatment.

Individuals detained under the Public Security Act are routinely denied face-to-face contact with family members. Letters screened by the authorities are occasionally permitted. Discriminatory treatment of non-political prisoners has not been reported.

e. Arbitrary Arrest and Imprisonment

The Public Security Act, as amended in 1978, is an omnibus bill that includes substantial legislation and regulations which supersede constitutional safeguards. The act empowers the state to undertake, without reference or recourse to the judiciary or other governmental authority, actions over a wide range of circumstances to control the activities of individuals that would otherwise be regarded as lawful.

Although the Public Security Act authorizes political detention, it does contain certain procedural protections. Detainees must be informed of the reasons for their detention, and they have the right to have their cases reviewed by a special tribunal appointed by the President. The first provision is not always honored, however. Secondly, the tribunal meets in camera, and the Government is not bound by its findings.

The Moi Government has formally detained nine persons under the provisions of the act since May 1982, the first since he assumed office in 1978; five of these are university lecturers. The other detainees are a member of parliament, a former member of parliament, a prominent Nairobi attorney, and Kenya's former Deputy Director of Intelligence.

Aside from the Public Security Act, Kenyan law does not provide for preventive detention. Habeas corpus generally exists in practice, but occasional instances of "extra-legal" arrest occur.

f. Denial of Fair Public Trial

The right to a fair public trial is upheld in Kenya aside from detention cases filed under the Public Security Act. Even in the courts martial conducted as a result of the abortive August 1 coup, members of the press have regularly been allowed to attend and report on the proceedings. In normal civilian security cases, the authority of the regular courts is limited to ensuring compliance with the procedural provisions of the Public Security Act. Under Kenyan law, the defendant has the right to choose his counsel, but only in capital cases is the Government obliged to provide counsel for indigent defendants. Defendants frequently appear for preliminary hearings without counsel.

Civilians are tried in civilian courts. Military courts adjudicate solely cases under military law affecting armed services personnel. Civilians charged with treason and sedition in connection with the events of August 1 have without exception also been brought before regular civilian judicial authorities. Verdicts may be appealed to the Kenyan high court in all cases brought before civilian courts.

g. Invasion of the Home

While in the past the sanctity of the home has generally been respected in Kenya, in the wake of August 1 police and security personnel routinely searched lower class dwellings without warrant and confiscated property alleged to have been looted during the abortive coup. Many poorer Kenyans in the Nairobi area lost lawful personal property during these extraordinary searches. Similar warrantless searches and seizures took place in middle class neighborhoods, though to a lesser degree. Surveillance techniques of security forces sometimes include electronic invasion of the home.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech and press are proclaimed in the Constitution. In practice, however, these freedoms can be and have been narrowly defined under various sections of the penal code. The existence and recent use of the detention provisions of the Public Security Act clearly inhibit public exchange of views on sensitive political subjects, as does the government pressure brought to bear on journalists and publications that stray too far from the government line.

The Government also discourages students and faculty from political activism. Each of the five university lecturers currently detained under the Public Security Act was detained prior to the aborted coup. Some students took to the streets in support of the coup attempt on August 1, and several dozen have subsequently been arrested and charged with offenses ranging from rioting to sedition. Thus far, the harshest sentence meted out to a student has been ten years for sedition. All Kenyan universities remain closed, male students must report regularly to their village chiefs, and travel abroad for students and faculty has been substantially circumscribed.

While Kenya has no formal censorship of the press, government guidelines are informally conveyed on politically sensitive issues, and deviations are dealt with swiftly and harshly. A July 20, 1982 editorial by "Standard" editor-in-chief George Githii which criticized the Government's resort to detention, resulted in Githii's unanimous condemnation in the National Assembly, his dismissal through government pressure, and the confiscation of his passport. Although the press is privately-owned in Kenya it is extremely sensitive to government influences. While there is no formal a priori censorship of published works in Kenya, authorities can effectively deny the public access to certain works. In August 1982, the Government banned articles critical of the Moi Government which appeared in the international press. In March 1982, the Government also refused to license two plays by Kikuyu playwright Ngugi wa Thiong'o, the performance of which was banned without explanation. A 30-member film censorship board operates out of the Attorney General's office and must approve all films to be shown in Kenya, but a wide variety of foreign films is regularly available. A 10-member television censorship board based in the office of the president has established precepts which govern what can be shown on television.

b. Freedom of Peaceful Assembly and Association

While the Constitution formally proclaims freedom of assembly and association, in practice these rights are sometimes limited by the Public Order and Police Act which gives local administrative authorities wide powers to control public gatherings. It is an offense to convene an unlicensed meeting. Licenses are denied only rarely and usually on political grounds that the meeting might lead to some civil disturbance. The Government also can and occasionally has prevented political, religious, and social meetings under the Societies Act.

Kenya has a relatively free trade union movement, but Kenya's complex labor legislation renders almost all strikes illegal. Strikes are permitted only if the Ministry of Labor has not taken action within 21 days of the formal declaration of a dispute to have it resolved. Although the Minister of Labor has occasionally threatened to punish strike leaders under the provisions of the Trade Disputes Act, no union leaders were brought to court under this Act in 1982. In practice, strikes are rare in Kenya because of economic conditions and the complex rules which regulate the unions' right to strike.

In August 1980, the Government formally disbanded the Kenyan Civil Servants Union, which was Kenya's largest union, because of its alleged political activities. The Organization of African Trade Union Unity has continued to complain about the Government's unwillingness to permit a genuine civil servants union, despite Kenya's membership in the International Labor Organization and its status as a signatory to the convention guaranteeing freedom of association.

All permanent workers in private enterprises of at least seven persons may be organized into trade unions. Approximately three-fourths of all such enterprise employees in Kenya work in such facilities, and about half (300,000) pay voluntary dues. Unions actually represent a greater number in collective bargaining, as workers not belonging to the unions are covered by collective agreements negotiated for their enterprises. Agreements are generally of two years' duration. A few professional voluntary organizations such as the Kenya Law Society exist, but limit their activities to professional concerns other than union matters.

c. Freedom of Religion

A wide degree of religious freedom exists in Kenya. No established churches are persecuted or given preferential status by the Government. However, the Government can refuse to register any society or group that it believes may pursue activities harmful to public security. The Church of Jesus Christ of Latter-Day Saints, or Mormons, has been trying without success to obtain registration under the Societies Act since mid-1981.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Public Security Act provides for the legal restriction of movement within Kenya for persons determined to endanger public security. In October 1982 a restriction was served by the Government on a leading politician known for his outspoken opposition to the central Government; this is the only recent incident of this nature.

In the wake of the events of August 1, the Kenyan Government has circumscribed opportunities for travel abroad. Kenyan authorities have seized the passports of several prominent Kenyans, and bureaucratic hurdles for government officials and private citizens to travel abroad have notably increased. Kenya does not, however, formally prohibit emigration of its nationals.

While Kenya suffers from a high rate of urban unemployment, it has nevertheless accepted refugees. Approximately 4,100 documented refugees now reside in Kenya. Of these, approximately 90 percent are Ethiopian, Rwandan, or Ugandan. In May 1982, President Moi publicly reiterated Kenya's commitment to assisting refugees. In addition to those persons who have obtained official refugee status, it is estimated that between two and ten thousand additional persons have taken refuge in Kenya but are not legally classified as refugees by Kenyan authorities. Kenya does not actively discriminate against refugees, and the five-person United Nations High Commission for Refugees office in Nairobi works through a variety of Kenyan agencies to assist refugee efforts to become self-sufficient and integrated into Kenyan society. The right of voluntary repatriation is generally respected.

e. Freedom to Participate in the Political Process

Although KANU is Kenya's only permitted political party as a result of the constitutional amendment which was passed by the National Assembly in June 1982, a wide range of candidates and views is generally permitted in Kenya. While elections are not immune to political interference, the number of aspirants to a particular public office is frequently a half-dozen or more.

In the most recent parliamentary elections which took place in 1979, as many as 13 candidates contested a single seat; ten persons were barred from contesting these elections for political reasons.

In August 1982 President Moi announced a major change in KANU procedures which will enable more grass roots candidates to contest parliamentary elections. Prior to the President's announcement, a parliamentary candidate had to be a KANU life member at a cost of one thousand shillings. The President has changed this requirement making regular KANU membership, which costs just five shillings, sufficient for candidacy. Although any KANU member may stand for a parliamentary seat, the prospective candidate's suitability is sometimes determined by the Party.

Although the constitutional amendment creating a one-party state was unanimously adopted, debates in the National Assembly are frequently characterized by spirited exchanges between Kenyan ministers of Government and backbenchers.

The range of permissible discussion and opposition to government policies is relatively broad, and split votes in the National Assembly do occur. However, Kenyan authorities are not reluctant to delimit the range of acceptable conduct. Debates in the National Assembly have become increasingly non-controversial because of government pressure. Among these pressures was formal detention in August 1982 of Koigi wa Wamwere, a member of parliament who was particularly critical of government policies.

Members of parliament are sensitive to the demands of their constituents, for in each national election since Kenya's independence 40 to 60 percent of the incumbents have been voted out of office.

Kenyan society is patriarchal, and public attitudes toward the role of women in politics generally reflect traditional male-dominated values. Sexual discrimination is not, however, government policy. A few members of the National Assembly are women, and women are sometimes appointed to national commissions formed to consider and make recommendations on public issues. Women are becoming involved in municipal and rural government and they comprise the clear majority of the voting electorate. Although sexual discrimination is not the stated government policy, married women are employed by the Government on a contract basis thereby reducing job security in comparison to their male colleagues; moreover, female government contract employees are routinely paid less than their male counterparts for performing the same work, including the loss of perquisites such as housing benefits.

Kenya is a multi-ethnic society where the task of assuring the opportunity to participate in politics to members of all groups has not always been easy. Under Kenyatta's presidency, it was sometimes charged that members of the Kikuyu tribe dominated the Government. Similar allegations are heard currently with regard to the Kalenjin group.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Government of Kenya has been sensitive to media and international criticism of its handling of the events of August 1, and has responded defensively to the negative portrayals of Kenya. In December, both President Moi and the Government, on separate occasions, vehemently refuted charges against the Government made in the foreign press.

Various international human rights organizations, including Amnesty International, have initiated letter-writing campaigns to the Government of Kenya with respect to the June 1982 detention of a prominent Kenyan attorney who regularly represented controversial opposition politicians, but the attorney remains under formal detention in accordance with the provisions of the Public Security Act. Freedom House classifies Kenya as "partly free."

While there are numerous organizations in Kenya which address certain aspects of human rights issues, there is no single group which focuses exclusively on broad human rights matters. Kenya has not yet placed before the National Assembly the Organization of African Unity charter on human rights which was adopted at the organization's July 1981 summit in Nairobi.

4. Economic, Social, and Cultural Situation

The Kenyan Government is committed to improving the country's health care, education, and standard of living, but recent economic performance has retarded progress in these areas. Real per capita growth of gross domestic product (GDP) has averaged less than 0.4 percent over the last six years. Kenya's economic problems are exacerbated by a population growth rate which exceeds four percent and is the highest recorded rate in the world. The events of August 1 dealt a severe blow to the prospects of economic improvement. Annual gross national product (GNP) per capita is about $380.

All wage and salary earners are covered by the minimum wage provisions of the Employment Act. Separate minimum wages exist for agriculture, the Nairobi and Mombasa metropolitan areas, other urban areas, and all other fields of employment. These rates were revised in August 1982 to partially compensate workers for inflation.

About one quarter of Kenya's labor force in the formal sector (i.e. regular wage earners), work in agriculture, the field which pays the lowest wages. Approximately 85 percent of Kenya's 17.1 million persons live in rural areas, and 55 percent of them are believed to live below the poverty level. Western and Nyanza provinces contain the largest numbers of rural poor, who include among their numbers small farmers, pastoralists, the landless, and large-farm squatters. Estimates of casual labor, found mainly in agriculture and construction, range between 10 and 25 percent of the total work force.

All Kenyan wage earners are subject to Ministry of Finance guidelines which stipulate that wage increases may not exceed three quarters of the increase in the cost of living since the signing of the previous wage agreement. Despite this obstacle, some unions have had demonstrable success in obtaining salary adjustments for union members by means of litigation filed in the industrial court. Some unions have also been successful in obtaining additional worker benefits, such as health insurance. All collective agreements must be approved by the industrial court before they take effect.

Women constitute an essential factor in Kenya's labor equation. They provide about three-fourths of Kenya's farm labor, but still carry on with traditional familial responsibilities. There has been an historical outflow of males to cities, a migration embarked upon in the hope of obtaining employment in Kenya's wage economy, which has accelerated in recent years. This phenomenon has been particularly evident in western Kenya. As rural males migrate to the cities in search of employment, women find that they are left the predominant responsibility for agricultural production.

Several of Kenya's better known tribes (the Kikuyu, Kalenjin, and Masai) still routinely practice female circumcision, although this custom has been declining over time. The Kenyan Government is making a major effort to eliminate this harsh ritual. In August 1982, President Moi condemned this practice, and high-ranking Ministry of Health officials ordered that such operations not be performed in Government facilities.

Following independence, Kenya made considerable progress in health care. Recently, however, some positive trends have peaked and started to decline marginally. While life expectancy rose from 42.5 years in 1960 to 55.7 in 1978, by 1980 life expectancy had dropped slightly to 54.9 years. A similar pattern has emerged with respect to infant mortality rates which declined from 159 per thousand in 1960 to 83 in 1977; the most recent data (1981) indicate that infant mortality rates have not improved since 1977.

In the past the Government has concentrated health expenditures on high-cost facilities such as hospitals, health centers, and dispensaries. In rural areas, however, such facilities often serve only one-quarter to one-third of the population. Kenya's health budget is heavily committed to the recurrent cost of these static facilities. Community-based health systems that would integrate health, nutrition, maternal and child care, and family planning are included in the Government's development plans but have not yet been implemented.

The most recent data (1975) indicate that only 17 percent of Kenya's population have regular access to clean water. Recent data (1977) on caloric consumption are considerably better, indicating that 88 percent of Kenya's nutritional requirements are met.

Primary and secondary education are strongly encouraged in Kenya. The primary school enrollment ratio is 99 percent (1978), but of children ages 5 to 15, only 82 percent of the males and 72 percent of females are enrolled in primary school. Secondary school enrollment exhibits a substantial drop from primary enrollment figures. Of all males between 15 and 19, only 25 percent are enrolled in secondary school; only 15 percent of the female population in this age bracket are similarly enrolled. Only two percent of Kenya's college-age population are enrolled in institutes of higher learning, and of these students only two percent are female.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: KENYA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	54.5	48.8	59.3
LOANS..............	16.1	22.8	18.9
GRANTS.............	38.4	26.0	40.4
A.AID	31.8	20.3	38.9
LOANS..............	0.0	7.8	4.6
GRANTS.............	31.8	12.5	34.3
(SEC.SUPP.ASSIST.)...	14.5	5.5	10.7
B.FOOD FOR PEACE.......	19.3	25.4	17.4
LOANS..............	16.1	15.0	14.3
GRANTS.............	3.2	10.4	3.1
TITLE I-TOTAL..........	16.1	15.0	14.3
REPAY. IN $-LOANS......	16.1	15.0	14.3
PAY. IN FOR. CURR......	0.0	0.0	0.0
TITLE II-TOTAL.........	3.2	10.4	3.1
E.RELIEF.EC.DEV & WFP.	0.0	2.9	0.0
VOL.RELIEF AGENCY......	3.2	7.5	3.1
C.OTHER ECON. ASSIST...	3.4	3.1	3.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	3.4	3.1	3.0
PEACE CORPS.......	3.4	3.1	3.0
NARCOTICS.........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	20.5	6.5	33.1
LOANS..............	20.0	6.0	22.0
GRANTS.............	0.5	0.5	11.1
A.MAP GRANTS..........	0.0	0.0	10.0
B.CREDIT SALES-FMS....	20.0	6.0	22.0
C.INTL MIL.ED.TRNG....	0.5	0.5	1.1
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	75.0	55.3	92.4
LOANS..............	36.1	28.8	40.9
GRANTS.............	38.9	26.5	51.5
OTHER US LOANS..........	0.0	0.3	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.3	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL.......	200.6	121.3	160.9	1627.6
IBRD	70.0	33.0	131.1	970.8
IFC	1.4	10.0	9.5	61.0
IDA	122.0	0.0	0.0	408.4
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	9.0	13.8	57.1
UNDP	2.2	4.8	0.0	54.2
OTHER-UN	0.0	7.0	0.0	17.2
EEC	5.0	7.5	6.5	58.9

LESOTHO

Lesotho is nominally a constitutional monarchy but Prime Minister Leabua Jonathan holds all political power and decision-making authority. Seats in the National Assembly are appointive, with the majority going to members of Jonathan's Basutoland National Party. Cabinet portfolios are similarly reserved for experienced and long-term Basutoland National Party members, although representatives of two opposition parties are serving in minor posts. A constitution adopted in 1967 was suspended after elections in 1970 were declared void by Jonathan. The Government asserts that its rule preserves traditional democratic practices such as "pitsos," public meetings where policy is adopted by consensus, but the reality is that political dissent is rarely aired in government-controlled meetings or media. Respect for the chieftaincy system, hierarchically ascending from village chiefs to chiefs and the King, is also emphasized, although its members are rarely important on the national level.

A sporadic insurgency waged against the Government since an abortive coup by supporters of Basutoland Congress Party leader Ntsu Mokhehle in 1974 increased in intensity during 1981 and 1982. A shift from bombings against public buildings and other facilities to armed attacks on political figures and military targets, including assassination attempts against cabinet officials by Mokhehle's Lesotho Liberation Army, stimulated two new laws in June 1981 widening government authority to act against subversion. Repeated incidents along the northwestern border with South Africa have led to government charges that South Africa permits or encourages terrorism on the part of the Lesotho Liberation Army, the military wing of the Basutoland Congress Party. The Lesotho Liberation Army has also claimed responsibility for the August 7, 1982 assassination of Works Minister Rampeta. A number of Lesotho's diplomatic missions overseas have also received threatening letters, purportedly from the Lesotho Liberation Army, warning against providing assistance to visiting government officials.

Lesotho's economy is primarily based on subsistence agriculture and migrant worker remittances from South Africa. Substantial aid is provided by Western donors in agriculture for road construction, rural health improvements, manpower advisors, personnel training, and other basic needs.

Although human rights in Lesotho are circumscribed by the Government, the rights to life and liberty are not systematically violated. The integrity of the person tends to be jeopardized most by undisciplined police or military forces. Two murders and an attack on a well-known opposition figure in 1981 led to charges that a "death squad" within the Lesotho Paramilitary Force was responsible. Political participation in the Government is limited to Basutoland National Party members and a few appointed members of opposition parties, excluding persons believed to be supporters of Mokhehle. The refusal of the Government to hold elections since 1970 is a principal contributing cause to political discontent, and provides the Lesotho Liberation Army with a rationale for its aggressions. Freedom of press and of association do not appear to be widely threatened, notwithstanding the intimidating effect of an editor's murder and arrests of suspected Lesotho Liberation Army adherents. The Government does require permits for almost all meetings and has been known to harass political organization efforts by opposition parties.

There has been no major change during 1982 in the status of human rights in Lesotho, although an International Security Law and an Emergency Powers Act passed in June provide stiffer penalties for subversion, sabotage and other political offenses. A major contravention of the Universal Declaration of Human Rights is the Security Law's provision that accused persons must prove themselves innocent of subversion and other offenses. No prosecutions have yet occurred under the law, however. The last-minute withdrawal of implementing regulations for the Emergency Powers Bill left the Prime Minister the widest possible authority to deal with opposition should he declare a state of emergency.

The short-term trend in Lesotho is toward heightened security measures to counter Lesotho Liberation Army activity. The detention of a student among approximately 50 persons in October 1981 following a bomb blast at an opposition hideout, for example, sparked a protest at the national university. The death of Mr. Setipa Mathba, in early January 1982, while a detainee in police custody has still not been publicly explained, and poorly trained and disciplined soldiers and police have caused innocent people to be injured. Lesotho Liberation Army murders have just as clearly contributed to a climate of fear and insecurity. The long-term outlook is for a continuing stalemate between the Government and its armed opposition, with the risk this creates for continuing respect for human rights.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

The disappearance and subsequent murders of educator Seheri and opposition newspaperman Motuba in the third quarter of 1981 have been cited as political killings by opponents of the Government, but no evidence has been provided to substantiate the claims. Lesotho Evangelical Church leader Masilo alleges that an attack on his house which left a grandchild dead was carried out by government forces. He is presently in exile and actively campaigning against the Government. An assassination attempt in late May 1982 against a cabinet minister was followed by the murder of a Basutoland Congress Party dissident leader and the murder of the Minister of Works. The Lesotho Liberation Army claimed responsibility for all three incidents. A Lesotho Liberation Army member killed in the recent ministerial assassination has been identified as the murderer of the dissident. Several persons were also killed near Mokhotlong by Lesotho Liberation Army forces in retaliation for having notified the armed forces of the Lesotho Liberation Army presence. Lesotho Liberation Army terrorism appears to be carried out as part of a struggle for power rather than for ideological motives. There has been no convincing evidence that any other government is supporting it, although most attacks are probably conceived in and launched from South Africa. A number of African National Congress members have also died in circumstances suggesting both political and personal motives, but the perpetrators do not seem likely to be Basotho.

b. Disappearance

The results of an April 1982 habeas corpus proceeding established that a man arrested by police in November 1981 was never seen again. As noted above, two persons who disappeared in June and September of 1981 were later found dead. Thus far no actual link with official forces has been established.

c. Torture

South African press reports in August 1982 stated that a farm laborer had been killed and another kidnapped in South Africa and taken to Lesotho by members of the Lesotho Paramilitary Force. The latter was allegedly tortured by having his hands burned with hot irons. The incident probably did occur, but there is no way to determine whether Lesotho military forces were in fact involved. Beatings by both military and police members have been reported. Abuse generally takes place during the arrest and interrogation phases, and is widely accepted as part of the punishment for the crimes alleged to have been committed. A member of the principal opposition party committed suicide in August 1982 after being informed that he was to be detained again on suspicion of subversion.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Physical punishment is not prescribed ordinarily as a form of punishment, although caning is legally sanctioned. Conditions in places of detentions are extremely poor, but are viewed as a form of punishment. Further, given the very real financial constraints on government spending, any improvement in detention facility conditions appears highly unlikely. Access to lawyers by those of means is the principal reason for different treatment of similar offenders.

e. Arbitrary Arrest and Imprisonment

There are very few prisoners held outside legal norms and established principles, apart from any picked up during sporadic military operations along the frontiers. Habeas corpus is applied to ordinary arrests under the Criminal Procedure and Evidence Act of 1981, but the Internal Security (General) Act of 1982 specifically exempts persons arrested for investigation of subversion from the former's provisions. Preventive detention under an interim custody order is authorized for an initial 14 days, after which a detention order must be issued or custody lapses. The detention order is valid for 14 days and may be extended an additional 14 days, after which the detainee must be charged or released.

f. Denial of Fair Public Trial

The judiciary in Lesotho is independent of the executive and military establishments, and has acted to limit police or military infringements of law on a number of occasions. Civil suits alleging maltreatment are accepted and adjudicated. The trial and conviction of a security service official for murder of an arrested person in 1981 illustrates the importance of the judicial system in curbing abuses. Verdicts of civil courts may be appealed to the High Court. In military cases, if the offense is one which can be dealt with summarily, the decision may be reversed by any officer of higher rank. If the offense is one for which a court-martial is convened, the sentence can be petitioned to the Lesotho Paramilitary Force commander. In neither case may a finding be appealed to a court of law.

g. Invasion of the Home

Under the Internal Security (General) Act of 1982, warrants are not required for any police official to enter private homes. Forced entry of the home by Government or military units has been credibly alleged, but due to indiscipline rather than the result of any deliberate policy.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Explicit safeguards in the 1967 Internal Security Act for freedom of speech and association, including the right to criticize public officials, were repealed by the Internal Security (General) Act which does not include such provisions. Opposition viewpoints are nonetheless freely expressed in Sesotho-language newspapers, including statements by the Lesotho Liberation Army commander Mokhehle. Although criticism of the government is tolerated, it often stimulates heated responses from government-controlled radio and newspapers. There is no known censorship of publications, although subversive statements would be prosecutable under the Internal Security Act. Academic freedom has not been interfered with, but a number of staff and students at the national university have reportedly received anonymous death threats. These incidents are seen as a reflection of a continuing Basutoland National Party/Basutoland Congress Party rivalry among the student body. The Government owns the only radio station in Lesotho, Radio Lesotho, as well as the only English newspaper, "The Lesotho Weekly." An opposition newspaper editor was murdered allegedly by the Lesotho Paramilitary Force, in 1981, but no other evidence of intimidation by either the Government or its opponents has come to light.

b. Freedom of Peaceful Assembly and Association

Permits are required for public and private meetings involving more than a few people. Groups intending to hold political rallies or organizing sessions encounter the most harassment, generally in the form of denial of permits or of investigatory arrests of persons attending. A member of the police generally attends such meetings. Two labor confederations exist, along with a number of independent unions. All have and exercise the right to organize, negotiate, and strike. Government control does not appear to be characteristic of the labor movement, in part due to the relatively small proportion of the Lesotho economy devoted to manufacturing and retail activities. Unions and the labor confederations have participated in delegations to the International Labor Organization annual meetings, together with government and employer representatives.

c. Freedom of Religion

There is no state-organized or favored religion in Lesotho, but Christianity is the predominant faith. Open religious practice is permitted, and few, if any, restrictions are actually enforced. The predominant denomination is Roman Catholic, with a significant Protestant minority composed of the Lesotho Evangelical Church, Anglican Church, and a variety of other denominations. Conversion from one religion to another is permitted, and there is no indication that members of a given religion are persecuted or discriminated against solely on that basis. Although some of the Government's principal opponents are Lesotho Evangelical Church members, many government officials also belong to that faith. No particular advantage accrues to members of one denomination as opposed to others in day-to-day life.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Domestic movement is impeded in strategic areas or principal highways by a regular pattern of roadblocks throughout the country to counter increasingly serious incursion by the Lesotho Liberation Army, but not for lengthy periods of time. Travel to countries other than South Africa and neighboring states is made more difficult by the cost of a security deposit for a passport, which can be as high as $1,250 for visits to the United States. The deposit is intended to cover the cost of repatriation. Emigration is not impeded, given the long tradition of Basotho working in South Africa, and the limited employment opportunities outside agriculture in Lesotho itself. Intending repatriates are not discouraged, and an amnesty act passed in 1980 allows political exiles to return after signing statements concerning any criminal acts they may have committed. A number of South African refugees were forced to return to South Africa in August 1981 after being accused by the Lesotho Government of being common criminals and "spies." Factional fighting may have been responsible for several deaths and attacks within the refugee community in mid-1981. Abuses of refugees in general are not ordinarily encountered. However, refugees from South Africa are constantly faced with the possibility of cross-border attacks from South African military forces as evidenced by the December 9, 1982 attack on Maseru which resulted in the death of approximately 47 persons, mostly African National Congress members.

e. Freedom to Participate in the Political Process

Lesotho is ruled by Prime Minister Jonathan, in association with a number of experienced Basotho National Party and government officials. Opposition parties are either divided into factions (such as the Basutoland Congress Party/Lesotho Liberation Army or are comparatively weak, though struggling to build popular appeal (Marematlou Freedom Party, United Democratic Party). The Ministers of Health and Justice and Prisons are opposition party leaders, but a former Minister of Water, Energy and Mining resigned after encountering continued obstacles to political organization for his party. The National Assembly, to which representatives of all parties except factions supporting guerrilla leader Mokhehle are appointed, usually passes without amendment Government-proposed laws. Elections for parliament have not been held since 1970, when Jonathan suspended the tally on security grounds as his party came close to being upset by the Basutoland Congress Party. Opposition groups that do not come under Mokhehle's control are allowed to exist openly, but public activities are restricted. Although there are no women cabinet ministers, at least one woman is a Permanent Secretary (the ranking civil servant in a ministry) and three are Deputy Permanent Secretaries. The Government has encouraged the formation of "Lesotho Women in Self-Help," and has a coordinator in the Prime Minister's Office for Women's Affairs. Both institutions contribute to rural development programs aimed at women.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Lesotho has been named by the 1981 Working Group on Enforced or Involuntary Disappearances of the UN Human Rights Commission as one of 22 countries where disappearances have occurred for political reasons. The most recent disappearance, in November 1981, was the subject of an opinion dated April 1982 of the High Court of Lesotho in which the police were scathingly criticized for violations of human rights. Two visits by Amnesty International delegations were permitted in late 1981 to gather information about the murders of Seheri and Motuba, the attack on Ben Masilo, and detainee conditions. According to its 1982 report, Amnesty visits and subsequent correspondence with the Government drew attention to such issues as alleged evidence of "brutal and potentially fatal systems of interrogation," and "cruel and inhuman" detention conditions. The Institute for Southern African Studies at the National University of Lesotho has recently established a human rights research program which is monitoring human rights in Lesotho as well as Botswana and Swaziland.

4. Economic, Social, and Cultural Situation

Lesotho is one of the countries designated by the United Nations as "least developed," with a per capita GNP of $385 in 1980. Over 45 percent of this amount was made up from remittances from migrant workers in the Republic of South Africa. About 90 percent of the country's imports and tourist traffic come from South Africa. In addition, Lesotho is also economically tied to South Africa through a common customs union and an interchangeable currency. Customs union receipts in recent years have averaged about 70 percent of the total government revenues. These funds, coupled with donor support programs, have managed to prop up a shaky and apparently unstable fiscal program. In addition, the South African economic tie has resulted in the latter's nearly complete domination over Lesotho pricing and tariff policies. The ability to produce food in South Africa at lower costs has detracted from developing Lesotho's agriculture sector. In addition, the potential of well-paying jobs, by Lesotho standards, has attracted the cream of the Lesotho labor force to South Africa at the expense of local agriculture and other development. Only about 10 percent of the Lesotho labor force is employed outside traditional agriculture.

Lesotho's economic plight is further complicated by its general lack of natural resources, its mountainous terrain, most of which lies between one and two miles high, and its generally low rainfall. However, development of water resources, including potential hydropower, appears the best long-range hope for economic development.

The 1981 population was estimated to be 1,370,000, with an annual growth rate of 2.4 percent. Life expectancy was estimated to be 51.1 years in 1980. This unusually high life expectancy standard for a poor country results from the general lack of tropical diseases in the country, again a function of the high altitude and cold winter climate. The infant mortality rate was 114.4 per 1,000 live births in 1981.

Nutritional standards are also high, with the ratio of calorie supply available for consumption to nutritional requirements estimated in 1977 to be 99 percent. In 1975, only 17 percent of the population was estimated to have access to safe water. Major efforts by both the Government and donors since then have greatly increased this percentage, although exact figures are not available.

Lesotho has a long history of church-sponsored primary schools located throughout the country which have resulted in a comparatively high adult literacy rate--estimated at 55 percent in 1979. The primary school enrollment ratio was estimated to be 104 percent in 1979. Refugees from South Africa account for this increased ratio beyond 100 percent. Although a basic church-sponsored education system is in place, both the Government and the churches lack the funds to standardize training, improve standards, and replace and develop needed facilities. Generally, the education provided is highly academic and provides little or no vocational skills to the students, even though they are probably destined to remain in the rural areas, where currently 90 percent of the population engages in subsistence agriculture. Of this group, 55 percent were considered below absolute poverty standards in 1979, while 50 percent of their urban counterparts were estimated to be in this bracket.

In summary, the picture for Lesotho is not prosperous or one with any immediate hope for major change. However, there is no blatant sexual, racial or religious discrimination, and all Basotho have fairly equal opportunity within the confines imposed by political reality. The role of women within Basotho society has traditionally been that of a stabilizing force, due to the absence of hundreds of thousands of men working in South Africa. Whether their talents and abilities will be used to a fuller extent in years to come will depend heavily on the progress Lesotho makes in providing education, health and other social services to the rural areas where the overwhelming majority of its citizens live. Many women are forced to rely upon subsistence farming for food. The 1979 Land Act has generally improved land tenure conditions as well as increasing opportunities to obtain building sites, partially assisting women in this condition. However, all lands still remain under the title of the Kingdom and local land committees have been given considerable power over allocating land outside urban areas. It remains to be seen whether women's interests will be adequately protected under these arrangements.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: LESOTHO

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	18.9	24.9	16.6
LOANS..............	0.0	0.0	0.0
GRANTS..............	18.9	24.9	16.6
A.AID	9.8	10.5	10.2
LOANS..............	0.0	0.0	0.0
GRANTS..............	9.8	10.5	10.2
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	7.8	13.1	5.1
LOANS..............	0.0	0.0	0.0
GRANTS..............	7.8	13.1	5.1
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	7.8	13.1	5.1
E.RELIEF.EC.DEV & WFP.	3.2	7.2	0.8
VOL.RELIEF AGENCY.....	4.6	5.9	4.3
C.OTHER ECON. ASSIST...	1.3	1.3	1.3
LOANS..............	0.0	0.0	0.0
GRANTS..............	1.3	1.3	1.3
PEACE CORPS......	1.3	1.3	1.3
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	18.9	24.9	16.6
LOANS..............	0.0	0.0	0.0
GRANTS..............	18.9	24.9	16.6
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	19.6	2.9	8.6	128.4
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.3
IDA	10.0	0.0	0.0	61.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	7.4	0.0	8.6	43.3
UNDP	2.2	1.5	0.0	20.5
OTHER-UN	0.0	1.4	0.0	3.3
EEC	0.0	0.0	0.0	0.0

LIBERIA

On April 12, 1980, a small group of military enlisted men killed President William R. Tolbert, Jr. and took control of the Government as the People's Redemption Council. Supreme executive and legislative authority now is vested in the Council. The Council is dominated in turn by its chairman, Head of State Samuel K. Doe. All formal political activity is banned by decree.

At the time of the coup, wealth, arable land, and political power were concentrated in the hands of a narrow though expanding elite. In sharp contrast to that elite, the majority of the population was living at the subsistence level. Even in the modern sector of the economy, wages could not support the spiralling demands of urban living. Real Gross National Product (GNP) had scarcely grown under the Tolbert regime, though for reasons largely outside the Government's control. There had been no significant new investment in Liberia since 1973; in fact there had been some disinvestment. Development was uncoordinated, with much of the upcountry area isolated from modern social services.

During the past year, Liberia's human rights record improved with the release of all political prisoners, a general amnesty for Liberians in exile, the establishment of a process and date for return to civilian rule, and greater control over arbitrary arrest and harassment. There remain problems of corruption, secret military trials, and lack of institutionalized protection for civil and political rights. The economic situation in the country has declined as a result of the world recession and a sharp downturn in the markets for Liberia's major exports, iron ore and rubber.

Liberia now holds no political prisoners. A curfew imposed after the coup was lifted in May 1982. Doe has pledged to return personal and real property confiscated after the coup to its rightful owners, with the exception of property belonging to the families of several executed officials of the former regime. A marked liberalizing trend has seen increased press freedom--although self-censorship is practiced. Arbitrary arrests have fallen off and harassment of businessmen and individuals prominent under the former government has been sharply curbed, with offenders, including some Council members, publicly punished. Doe followed up on his appointment of a constitutional commission in 1981 by pledging to return Liberia to civilian rule by the fifth anniversary of the coup, April 12, 1985. The commission made significant progress in its mandate to draft and promulgate a new Constitution and oversee elections leading to civilian rule. Public hearings were held in all of Liberia's nine counties to gather opinions on what form the new Constitution should take. Subsequently, a draft Constitution was prepared and was scheduled for release within the next few months. The schedule for transition to civilian rule calls for convening of a constituent assembly in 1982 to review the draft prior to a national referendum.

1. Respect for Integrity of the Person, Including Freedom from:

a. Killing

In the aftermath of the People's Redemption Council seizure of power, the new Government executed 13 former top government officials for alleged "crimes against the people." During the same period, soldiers, apparently acting without the sanction of the Government, murdered several members of the dispossessed Americo-Liberian elite.

The Liberian Government has executed a small number of alleged coup plotters. The secrecy of the tribunals makes it impossible to know to what extent due process was observed in these cases. Not all alleged coup plotters have been executed; a few have been acquitted or sentenced to prison. Some in the latter category have been pardoned, and in some cases reinstated to high government positions. There have been no murders by quasi-official or private groups acting with the implied sanction of the Government. In January 1982, six students who challenged a ban on political activity were convicted and sentenced to death by firing squad; they were pardoned within days by the Head of State. The death penalty can be imposed for some criminal violations.

b. Disappearance

Hundreds of persons with connections to the former regime were arrested and detained for varying periods of time in prisons and military stockades after the Council's seizure of power in 1980. While no lists of those arrested or released were made public, interested persons were able to learn of the detentions and in many cases to visit those detained. By late 1981 all but approximately 20 political prisoners had been released. Following a December 23, 1981 order by Head of State Doe, all remaining political prisoners were freed.

In 1982, there were several instances of arrest and detention, without public acknowledgement, of persons suspected of plotting to overthrow the Government, incite public disorder, or violate the tenets of a Council decree banning all forms of political activity. In each case, those arrested were either released shortly thereafter without formal charge, or charged and subsequently tried. Arrests are made by official military, security, or police forces--there have been no known instances of arrest, abduction, or clandestine detention carried out by quasi-official or other elements.

c. Torture

Torture apparently is not condoned by the Government in Liberia, although isolated instances of torture have been alleged. Some mistreatment of suspects and prisoners has occurred in the Liberian judicial and penal system, even though the use of mental or physical pain to obtain confession or information, or to punish or intimidate suspects or prisoners is specifically prohibited. Several cases of security officials disciplined for violating that prohibition were reported in 1982.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

One case of mistreatment was reported in 1982. A government agency employee reportedly was arbitrarily apprehended by police, beaten with a belt, and released without being charged. Under the Peoples Redemption Council Government, there has been a serious effort to curb mistreatment of prisoners and suspects, and security personnel have been disciplined for mistreating prisoners. Prison conditions are inadequate by international standards, with the notable exception of the National Palace of Corrections in Zwedru.

e. Arbitrary Arrest and Imprisonment

In late December 1981, Head of State Doe ordered the immediate release without exception of the approximately 20 detainees remaining from the mass arrests which followed the coup. Liberia now holds no political prisoners. There have been instances, however, of Council members, all of whom are military officers, ordering the arbitrary arrest and imprisonment of civilians for brief periods. Doe warned several times in 1982 that harassment of civilians by the military, including Council members, would not be tolerated. Some Council members have been disciplined for acts of harassment. Harassment has, in fact, been curbed but not entirely eliminated. In November 1982, the Minister of Defense ordered off-duty soldiers to turn in arms in an effort to further reduce harassment. Habeas corpus was suspended by the Council in 1980 when it took power and declared martial law. Arrests are made in some cases without warrants, and there are delays between arrest and trial, but bail is generally available.

f. Denial of Fair Public Trial

The core of the civilian court system has remained in place under the current Government, with significant modifications. Liberia uses Anglo-American common law, and US and British court cases can be cited as precedents. Civilian trials are public. Decisions of the circuit court can be appealed to the Supreme Court. The military Government added a third court, the Peoples Special Theft Court, whose panel of three judges renders verdicts which cannot be appealed to the Supreme Court. While due process procedures are respected in civilian courts, allegations exist of political influence in some sensitive cases; for example, in those of government officials charged with corruption. More damaging than political interference to the impartiality of the judicial system is corruption. Reports abound of lawyers accepting fees from both parties to a case, and of judges requesting and accepting bribes even in open court. Head of State Doe severely criticized the judiciary in September over reports of corruption, and a judicial conference in October examined these allegations.

The military court system features a permanently standing three-judge Supreme Military Tribunal whose authority extends not only to the security forces but also to civilians charged with engaging in political activity. Military trials can be public or closed. In the case of the most recent trial of coup plotters, the trials were closed.

The Head of State has the authority under the present Government as under the previous Government to appoint civilian and military justices and to review, modify, or reject court decisions. In practice, this latter prerogative is rarely exercised.

g. Invasion of the Home

Under martial law currently in effect in Liberia, warrants are not required to enter a private residence. There have been no cases reported in 1982, however, of residences forcibly entered by military, security, police, or other government forces. No instances have been reported of technical surveillance or other abuses of rights.

After the revolution, 34 individuals or families had their real and personal property (except for homestead rights) confiscated due to alleged involvement in corruption or for failure to return to Liberia. At least one of these families had its property reinstated after family members returned to Liberia in 1981, and in 1982 the Head of State committed the Government to an eventual return of most confiscated properties. Progress in implementing this has been slow, however. In September 1982 the Government confiscated three private buses to ease a transportation breakdown, postponing until later the question of compensation.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Constitutional guarantees of free speech and free press were suspended after the coup d'etat, and decree 2-A outlaws all "actions of individuals, political parties, or interest groups that seek to control, influence, oppose, castigate, or deride actions or policies taken or promulgated by the Government of the People's Redemption Council." The decree mandates death by firing squad for offenders, but in the only two convictions under the decree, both in 1980, those convicted were pardoned by the Head of State. The press is more open, spirited, and critical than might be expected given the penalty specified, perhaps reflecting a Liberian tradition of press independence.

One daily and three weekly independent newspapers compete with the government-owned daily newspaper. While self-censorship is practiced, and criticism of specific Council policies or individuals in high government positions is usually not direct, lively debate over national problems and priorities characterize letters to the editor and opinions columns. Accurate reporting of questionable actions by government members is allowed. Advice critical of previous or current actions or policies is freely offered to the Government. In 1982, no government actions were taken against the press. In August the "Daily Observer" won a libel suit filed against it by a Council member in connection with an article accurately reportng the Council member's temporary detention by order of the Head of State.

The Government runs the television station and several radio stations while private missionary radio stations take their news from the government news agency, Voice of America, and British Broadcasting Corporation. The electronic media are not as free in debating national issues as the print organs, but the government news agency reports government actions accurately without much self-congratulation or distortion.

b. Freedom of Peaceful Assembly and Association

The prohibition on political activities does not hinder unions, professional bodies, civic associations, religious groups, self-help development committees, and similar organizations from meeting and conducting activities without government interference or control. Political parties and other organizations of an overtly political nature, however, are proscribed. Unions are independent of Government, but the People's Redemption Council anti-strike decree remains in effect. A substantial proportion of the non-subsistence work force is unionized. Most unions belong to the Liberian Federation of Labor Unions, an affiliate of the International Confederation of Free Trade Unions. All three iron ore mines are unionized as are several large plantations, including the Firestone Plantations Company, Liberia's largest private employer. The present Government has allowed union organizing on plantations for the first time in Liberian history. The Government is redrafting Liberia's labor law to conform more closely to International Labor Organization standards. Despite the anti-strike decree, several work stoppages took place in 1982. In all cases the workers were persuaded to return, and no punitive action was taken.

c. Freedom of Religion

There is no state or officially favored religion in Liberia. The suspended Constitution mandated religious tolerance and separation of church and state. Numerous Christian denominations flourish, but the majority of Liberians continue to practice traditional animist religions. About 15 percent of the population is Muslim. There is no official or unofficial policy of religious discrimination in Liberia. The new Constitution is expected to stress continued separation of church and state and freedom of worship.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Neither domestic movement nor foreign travel is impeded, although exit visas are required for travel abroad and may be bureaucratically time-consuming to obtain. There are no restrictions on residence in any part of Liberia, country or city. A number of military roadblocks that had hindered free movement since the advent of military rule were dismantled in 1982. Emigration is unrestricted, but immigration, especially from neighboring African countries, is somewhat resented in the society at large because of the perception that natives of other countries are taking employment away from Liberians. African expatriates in Liberia can be subject to arbitrary dismissals from Government positions or demands for bribes or other favors in exchange for continued permission to remain in the country. Citizenship is restricted to Negroes or persons of Negro descent. Citizenship is sometimes revoked, on occasion with apparently ill-founded legal basis, for naturalized Liberians from other African countries. Self-exiled Liberians, most associated in some way with the overthrown regime, have been encouraged as a matter of official policy to return home. A general amnesty was declared in December 1981 and in 1982 the Council Government committed itself to returning properties confiscated from former regime figures to their rightful owners. While a significant number of Liberians who fled abroad after the coup have returned, many old regime figures remain abroad. Returnees have not suffered harassment or persecution; two, in fact, have been appointed deputy ministers in the Government.

e. Freedom to Participate in the Political Process

Since martial law decrees expressly proscribe political activity, there is no formal popular participation in the political process. Work is underway, however, by the constitutional commission to prepare a transition to civilian rule. In 1981 commission members were granted immunity from prosecution for their activities and statements. In 1981 and 1982 they conducted a series of hearings at which all citizens were invited to air their views on problems with the suspended constitution and suggestions for a new charter. These opinions, say commission members, have helped to quicken the drafting of the new Constitution, which is scheduled for publication in draft form within the next few months. This is expected to be followed by the convening of a constitutent assembly to review the document and a national referendum. In 1982 the Head of State supported the commission's work and reaffirmed on several occasions his intention to return the country to civilian rule by April 1985.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A private human rights international organization directed one inquiry to Western embassies in 1982 concerning the location of a former Council Government official who had left the country and refused to return. The official claimed he would have been subject to persecution or harassment had he remained in Liberia, but the validity of his allegations seemed in doubt. No other inquiries, visits, resolutions or other activities by international human rights organizations are known to have occurred in 1982. The 1982 Freedom House Yearbook graded Liberian political and civil rights at level six on a scale of one ("free") to seven ("not free") and listed its status of freedom as "not free". The Amnesty International (AI) 1982 report listed among its concerns in Liberia the ill-treatment of detainees in 1981. There is no official or unofficial policy opposing or hindering the work of international human rights investigating organizations. The Council Government is apparently confident of its record in improving human rights, and no harassment, persecution or intimidation of individuals or groups attempting to document human rights conditions has been alleged to date.

4. Economic, Social, and Cultural Situation

Founded in 1822 by blacks who were seeking the fundamental liberties then denied them in the United States, Liberia, the oldest republic in Africa, retains strong cultural and political ties to the United States.

Liberia has a mixed economy with government participation in such public service corporations as the Liberian Electricity Corporation and the Liberian Produce Marketing Corporation. The present Government is a strong advocate of private enterprise, and most businesses are in private hands. Foreign investors own most iron ore, rubber and timber firms that account for nearly all of Liberia's export earnings. Liberian women provide the majority of the labor in food production, and allocate the distribution of food, whether it is for household consumption or for market sale. It has been estimated that 80 percent of Liberia's retail trade is controlled by non-Liberians, principally Lebanese and Indian merchants. Per capita gross national product was estimated at about U.S.$400 in 1981. While this represents a nominal increase over the U.S.$260 estimated in 1970, it is nonetheless a major decline in both real and nominal terms from U.S.$524.80 in 1980, when taking the estimated 15 percent inflation into account. Manufacturing is about eight percent of the gross domestic product, excluding ore and rubber processing facilities. Income distribution is greatly skewed, with 50 percent of total household income claimed by the top five percent of families and the remaining 95 percent of households sharing the other 50 percent. About 70 percent of the population is employed in subsistence agriculture.

Corruption continues to be a problem in Liberia, but an anti-corruption campaign continued and intensified in 1982, under which arrests and convictions were made against several officials who had misappropriated funds.

Access to the benefits of economic development has been limited in Liberia by the relative isolation of the bulk of the population as 1.3 million of the total population of 1.89 million (1980) live in rural areas. It is estimated that 20 percent of the population has access to safe water, (64 percent of the urban population and only six percent of rural dwellers). According to the most recent estimates

(1977), average Liberian consumption of calories stands at 104 percent of nutritional requirements, but again distribution is skewed. While the majority of the population continues to live at the subsistence level, only 23 percent of all urban residents are below the absolute poverty line.

Liberia has a literacy rate of 25 percent. School age population is approximately 855,000, while the total number of students is approximately 335,744 (39 percent). The low literacy rate is attributed to a lack of access to educational facilities and the low quality of education nationally.

According to the suspended Constitution, all Liberian women are guaranteed equal rights with men and afforded special protection through provisions that grant a dower's right in property the husband owned at the time of his death, and that provide for the security of property owned in their own right. The reality is not as clear-cut as in many cases these rights have been denied to women. While statutory marriage is seen as a contract between individuals, customary marriage is one between families. With payment of dowry under the customary marriage system, a woman is considered the property of the man and his family. Upon his death, the marital contract continues with the family, who have certain obligations and responsibilities to the widow, if she remains with the family as wife to another relative. Because of this family obligation, a woman is not usually entitled to inherit from her husband or to administer his estate. Many Liberian women now straddle both the traditional and statutory legal systems. In the modern sector, Liberian women have held important positions, such as ambassadors, ministers, supreme court justice, and judges.

The right to own real estate is restricted to Liberian citizens. There are no additional formal restrictions on the right to own or transfer real property.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: LIBERIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	23.5	55.1	65.5
LOANS..............	10.0	15.0	15.0
GRANTS.............	13.5	40.1	50.5
A.AID	16.0	37.3	47.0
LOANS..............	5.0	0.0	0.0
GRANTS.............	11.0	37.3	47.0
(SEC.SUPP.ASSIST.)...	5.2	32.0	35.0
B.FOOD FOR PEACE.......	5.2	15.1	15.3
LOANS..............	5.0	15.0	15.0
GRANTS.............	0.2	0.1	0.3
TITLE I-TOTAL..........	5.0	15.0	15.0
REPAY. IN $-LOANS.....	5.0	15.0	15.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.2	0.1	0.3
E.RELIEF.EC.DEV & WFP.	0.2	0.1	0.3
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	2.3	2.7	3.2
LOANS..............	0.0	0.0	0.0
GRANTS.............	2.3	2.7	3.2
PEACE CORPS.......	2.3	2.7	3.2
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	2.7	6.3	12.6
LOANS..............	2.5	4.7	7.0
GRANTS.............	0.2	1.6	5.6
A.MAP GRANTS..........	0.0	1.0	5.0
B.CREDIT SALES-FMS....	2.5	4.7	7.0
C.INTL MIL.ED.TRNG....	0.2	0.6	0.6
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	26.2	61.4	78.1
LOANS..............	12.5	19.7	22.0
GRANTS.............	13.7	41.7	56.1
OTHER US LOANS..........	2.1	0.0	0.5
EX-IM BANK LOANS.......	2.1	0.0	0.0
ALL OTHER..............	0.0	0.0	0.5

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	13.5	7.4	30.3	265.7
IBRD	12.0	5.0	20.0	155.7
IFC	0.0	0.0	0.0	3.6
IDA	0.0	0.0	0.0	44.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	9.1	27.4
UNDP	1.5	1.6	0.0	24.1
OTHER-UN	0.0	0.8	1.2	7.5
EEC	0.0	0.0	0.0	7.4

MADAGASCAR

The elements of the Malagasy Government include a president and national assembly lower house, a prime minister and cabinet chosen by the president, and an upper house whose members are selected by the president with some input from the lower house.

The president is the dominant figure, both constitutionally and in fact, and virtually all major decisions on Government policies and actions are ultimately made by him. Although the system functions democratically in a number of respects, the president's legal powers, his personal domination of the other organs of Government, and the absence of a unified or effective opposition result in the centering of a great deal of authority in his person. The commitment to socialism has led to nationalization of well over half of the modern, cash economy, though the private sector remains important. The economic situation is very serious, with significant early improvement hard to predict. Disruptive policy choices, poor performance by public sector economic elements, and alleged corruption have all played a part in the decline of the economy. The economic situation has resulted in considerable popular disillusionment with the Government and socialism.

The Malagasy Constitution and laws guarantee most of the basic civil and political rights and those affecting the integrity of the person. The Constitution provides, however, that anyone guilty of such generalized offenses as combating the revolution, opposing the creation of the socialist state, or endangering national unity risks the loss of rights and liberties. In practice the Malagasy citizen enjoys a fair degree of civil and political liberty. Legal political activity is limited to the seven parties of the ruling National Front, but these parties represent a fairly broad range of the political spectrum. Such rights as freedom of speech, press, and assembly are restricted but not eliminated. Although abuses of the integrity of the person do occur, they appear to be exceptional rather than the norm.

The human rights situation in Madagascar has not changed substantially in the past year. Economic factors were probably largely responsible for outbreaks of rioting and disorder in certain areas in early 1982 and for a growing crime problem, but these have not led to any major suppression by the Government of civil and political liberties.

The human rights situation appears unlikely to change significantly over the near term. Prospects for longer term change are uncertain. The president has on occasion indicated that he might ultimately entertain the idea of a one-party state with a president for life. A move in this direction would, however, be widely unpopular, and it is questionable whether the president would risk alienating a major segment of public opinion in this way.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Killing for political reasons by governmental or other elements is not characteristic of Madagascar. In the period since independence, only one major political or Government figure has been assassinated, and the alleged existence of a few other assassination plots remains unproven. Government security elements have typically exercised restraint in the use of extremely violent or lethal force. Mass riots in several northern cities over a period of weeks in early 1982 were put down with total loss of life estimated at between 8 and 15, with several of the deaths suffered by the security forces. The forces of order do not appear to have used lethal force until they themselves were violently attacked. In May 1982, however, police fired upon a group of citizens engaged in pursuit of livestock thieves and killed at least 60 persons. These killings may have resulted from confusion of the citizens with the thieves possibly, or from local police collusion with the thieves.

b. Disappearance

There have been no reports of abduction, clandestine detention, or disappearances in 1982.

c. Torture

Torture is forbidden by law. Isolated allegations of torture in the course of interrogations have been made by former prisoners, but these have been unsupported by physical or other evidence. A credible allegation of occasional use of torture in prisons has been made by church sources with access to prisons, but it is not clear whether these instances were officially sanctioned. If torture does occur, it would appear to be unusual and without higher official sanction. The Government has never admitted that torture may have been used in any case, and its efforts to investigate occasional allegations are unknown.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Prisons are crowded, and conditions of sanitation, diet, and health care within them are reportedly primitive. This appears to result from the general level of development and economic constraints, rather than any deliberately punitive purpose. Though differential treatment is not officially accorded on the basis of class, type of offense, or for other reasons, those with resources or influence are typically able to obtain better penal conditions. Mistreatment of prisoners is forbidden by regulations and does not appear to be widespread. Brutal treatment appears to be the exception rather than the norm.

e. Arbitrary Arrest and Imprisonment

Three military officers arrested for alleged coup plotting in 1977 are still being held without trial, as are three other persons arrested on similar grounds in January 1982. The Government's position is that investigation is still continuing and that these persons will eventually be charged and tried according to law or released. This explanation appears unsatisfactory, particularly in the case of the officers who have been held for five years. A small number of foreigners, including at least two South Africans, are currently in detention for alleged subversive activities. Grounds for imprisonment in such cases often appear doubtful. The concept of habeas corpus does not exist as such in the French-derived Malagasy legal system. Preventive detention is applied in some of the cases cited above. In ordinary criminal cases a suspect may be held for no more than three days without being charged. Persons suspected of activity against the state may be legally detained, incommunicado, for fifteen days, subject to indefinite extension if the Government deems it necessary.

f. Denial of Fair Public Trial

The relationship between the defendant and the court follows the French model and does not include the specific initial presumption of innocence and certain other safeguards characteristic of the Anglo-American judicial system. Defendants are usually charged formally and clearly within the prescribed time periods. Upon being informed of the charges against them, they have the right to the assistance of counsel. The local legal community is not large, but it includes a number of competent attorneys who have demonstrated readiness to undertake controversial cases, including those which could bring them into conflict with Government interests. The courts are declared by the Constitution to be completely independent, except for being subject to the Constitution itself and the law. While this rule generally prevails, in practice there are exceptions. Observed departures from impartiality have included light sentences, or escape from prosecution, for Government officials and other well-connected persons, and occasional lengthy detention of persons before trial, usually in cases where Government interests are involved. The Constitution provides for open trials except for cases involving national defense/security matters, and minors. There are also military courts and special courts for economic crimes. Civilians can be tried before military courts for crimes affecting the security of the state. Military courts may be more sensitive to security threats than civil ones, but are in other respects probably no more or less subject to Government pressure than civil counterparts. There is a Court of Appeals for normal civil cases. Ultimate appeal can be made to the Supreme Court to challenge the verdict of any lower court, including a military one.

g. Invasion of the Home

The Constitution guarantees the inviolability of the private home. Under the law, process servers may enter a private dwelling to perform their functions only in daylight hours. The police may enter at any time if in possession of a written order from the police chief or a competent magistrate. Violations of the home such as demolition are unknown in Madagascar. There have been no reports of forced entry or technical surveillance, though whether the latter may occasionally be employed is unknown. Surveillance of the residences of persons in detention or of those who have been released pending possible charges is practiced in certain cases.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Government exercises effective control over media content through Government ownership of radio and television and Ministry of Interior prior censorship of all print media (including those published by the Ministry of Information). Guidelines on prohibited topics are somewhat vague, but seem principally designed to prevent criticism of the president and senior officials, and discussion in the media of any alleged wrongdoing on their part. In practice, there is frequent criticism (much of it outspoken) in the independent press of a variety of Government failings in the areas of economic management, transportation, security and educational policy, and criticism of censorship itself. In addition, the independent press in the past year has begun to publish articles implicitly critical of the Soviet Union and its satellites. Private interests control about 80 to 90 percent of publications. Apparently the Government has never forced an independent newspaper to close, and there are no known instances of harassment or imprisonment of independent journalists. During the recent presidential campaign and afterward, the opposition candidate, Monja

Jaona, sharply attacked the Ratsiraka Government's economic policies, charging it as well with incompetence and corruption. Much of this criticism was made in the press and was aired on radio and television.

There are no impediments to private expression of dissatisfaction with Government policies and officials by Malagasy citizens. The Malagasy do not hesitate to discuss Government shortcomings. Although the distribution of uncensored tracts is illegal, Government efforts to halt such distribution and punish those responsible have not been noticeably vigorous.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly is limited. Organized political activity, including public political gatherings, is restricted to the seven parties of the ruling political front. Permits needed to hold meetings can be denied under the Constitution, which provides for the suspension of rights of persons or groups combating the revolution, opposing the creation of the socialist state, or endangering national unity. These categories are so broad as to permit the prohibition of virtually any activity which the Government considers unfriendly. Unauthorized demonstrations in several northern cities in early 1982, arising out of the alleged participation of officials in black marketeering, as well as other complaints, were forcibly suppressed. As these demonstrations quickly became violent, the extent to which the Government might have tolerated more peaceful expression is not known.

The right to organize labor unions is recognized, but unions are not a major force in the society. Only about five percent of the total labor force, composed mostly of farmers and estimated at four million, has union connections. Union officials are elected by workers. The more important unions, however, are offshoots of political parties, so party leaders probably exert influence on the choice of union officials. Unions conduct substantive negotiations with employers and strikes do occur, but the Government has given indications that it will move against labor activity which threatens the functioning of important economic sectors of the Government. One independent union attempted to organize a civil service slowdown and walkout in 1979. The Government ended this through the detention of some union leaders, harassment of unauthorized gatherings, and the firing or threatened firing of some workers unless all returned to work.

c. Freedom of Religion

Nearly half of the population is Christian, with the remainder following either traditional Malagasy religious beliefs or none at all. The Government is secular. There are no restrictions on religious practices, and no group is favored over others or discriminated against on religious grounds. The Christian churches have traditionally eschewed involvement in politics, but over the past year have become more outspoken on economic issues and on the government's control of information and emphasis on secular education. While this has been criticized by some political parties, the Government has not tried to restrain the churches, as this would risk significant loss of popular support.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Travel within the country is unrestricted. There are no official limitations on travel abroad, but authorization must be obtained for each journey outside the country. This seems in practice to be granted rather freely. A practical restriction on foreign travel is the shortage of foreign exchange. There are no official impediments to emigration, but the number of emigrants is small owing to the influence of tradition and financial constraints. Repatriation is also unrestricted. The Government has not taken a position on refugee matters as there is no refugee population. Geographical isolation and current economic problems would discourage refugees from seeking to relocate in Madagascar.

e. Freedom to Participate in the Political Process

Political power is concentrated in the presidency which dominates the political scene. Other organs of Government typically acquiesce in presidential decisions. Political activity is limited to the seven parties of the ruling political front acting within the framework of the front. No other parties may operate. President Ratsiraka went unchallenged in the 1975 presidential election, and the front presented a single list of candidates for the national assembly elections in 1977. In a nationwide election on November 7, President Ratsiraka was reelected for a seven-year term. He was backed by five of seven parties of the national front, and his opponent, Monja Jaona, by the other two. Ratsiraka gained about 80 percent of the vote nationwide, with wide margins in the rural areas and narrow margins in Madagascar's major cities. Balloting in the cities was generally considered to have been conducted fairly; some irregularities probably occurred in the less well observed rural countryside balloting. There is some de facto opposition to the Government and its policies within the parties represented in the national front; overt opposition groups and activites are not tolerated, however. National front parties offer a moderate range of choice of ideological persuasions and policies; parties which explicitly oppose socialism are illegal. Although the Government exhorts the citizenry to be politically conscious, and claims a high level of political participation, the typical Malagasy does not appear to see himself as having the possibility for an effective role in the political process. Women play a fairly active part in public life, and the Government strives to achieve ethnic balance, a political imperative in Madagascar. There are no problems associated with nationality, citizenship, or statelessness.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There are no resident official representatives of human rights groups in Madagascar, nor have such groups been allowed to visit. Madagascar does participate, albeit passively, in UN human rights deliberations and apparently intends to become a signatory of the Organization of African Unity's Human Rights Charter. Amnesty International's 1982 Annual Report dealt briefly with Madagascar, with attention focused on the cases of the three military officers imprisoned without trial since 1977 for alleged coup plotting and allegations of torture of prisoners by security police. The Organization of African Unity earlier investigated a 1976 massacre of ethnic Comorans in the region of Majunga. Investigators were apparently allowed free access and produced a report critical of the performance of the Malagasy security forces, but the report has not been released. The Government has not responded officially to questions concerning possible violations of human rights.

The Government is not known to encourage dialogue with external human rights groups. President Ratsiraka recently rejected a call by his opponent in the presidential campaign for supervision of the elections by Amnesty International or another international body, saying that this would be in derogation of national sovereignty.

There are no private human rights organizations in the country, though the Christian churches have several times in the past year issued declarations calling for respect of various human rights and implicitly criticizing the Government in this area. Given the moral influence of the churches in Madagascar, the Government takes cognizance of any criticism emanating from this quarter.

4. Economic, Social, and Cultural Situation

With a population of around nine million people and per capita GNP of about $300, Madagascar ranks among the poorest countries in the world. According to the World Bank, half the population subsists below the absolute poverty level. More than 75 percent of the modern, cash economy is controlled by the Government following a wave of nationalizations in the latter 1970s. But despite the priority it has given economic growth, overall productivity is on the decline, while the population continues to grow at a rate of 2.6 percent annually.

Madagascar's low population density, vast expanse of arable land, and variable climate offer tremendous potential for developing an agricultural surplus. The country, however, is becoming increasingly dependent on imports of basic commodities such as rice and vegetable oil. It is expected in 1982 to double the previous year's imports of 200,000 tons of rice, its basic dietary staple. This, combined with diminishing exports and growing external debt service payments, has produced a critical shortage of foreign exchange essential for agricultural investment and spare parts.

In attempting to deal with these problems, the Government appears now to be taking a more pragmatic approach than in the past. Through reduced consumer subsidies and higher producer prices, it hopes to stimulate productivity in sectors such as rice production and to rationalize the operations of state marketing and distribution companies.

Except for areas deemed to be of fundamental importance to national security or economic well-being, private property rights are recognized and respected. Approximately 70 percent of the cultivated agricultural area consists of small, family-owned holdings. While many of the country's small businesses and shops are still in the hands of the French, Chinese, and Indians, the number has dropped substantially as a result of policies favoring Malagasy nationals. A latent resentment is still harbored toward these commercially more successful groups. Though resentment is sometimes manifest at the level of local government and institutions, actions against these communities are not condoned by central Government authorities.

There is no discrimination against religious groups or against women. Women enjoy a highly visible and influential position in Malagasy society. They occupy many important posts in business and Government, a phenomenon with deep historical and sociological roots. Equality of opportunity is far less a problem than limited opportunity resulting from Madagascar's serious economic difficulties.

Only about a quarter of the population is estimated to have access to safe drinking water. Although declining agricultural output and deteriorating infrastructure have not yet led to widespread malnutrition, food shortages are sporadic, and the quality of nutrition varies greatly. The ratio of calorie supply available for consumption relative to nutritional requirements was recorded at 115 percent in 1977, but both the quantity and quality of food have diminished since then. Rice is the most popular dish throughout the country, but erratic supplies are causing increasing numbers of people, especially in the arid south, to return to manioc as a basic staple. Fresh fruits and vegetables are plentiful in certain parts of the country and scarce in others.

The quality of health care in Madagascar has also suffered from many of the problems plaguing the economy at large. The lack of foreign exchange has resulted in a growing dependence on international donations of basic medical supplies. Serious flooding such as that which occurred early in 1982 leaves the population particularly vulnerable to outbreaks of disease. Malaria, especially in the coastal regions, is a continuing problem. The resources for dealing with emergencies are limited, as are antibiotics and other routinely used medicines. The present system of health care relies largely on Government subsidy, with little allowance for improved care for those who can afford it. There is approximately one hospital bed for every 617 people and one physician for every 11,500. Life expectancy at birth was 47.1 years in 1980. The infant mortality rate in that year was 71.3 per thousand live births.

Private and parochial schools still play an important role in Malagasy education. At the primary school level, some 13 percent of the student population was enrolled in non-public schools in 1978. The figure jumps to about 33 percent in the case of secondary schools. The percentage of private school enrollment generally declined throughout the 1970s, however, and there is evidence that this decline has continued. The most plausible reason for increases in public school enrollment is the cost of private education and an overall increase in the primary and secondary school enrollment. The latest available figures indicate some 83 percent of those eligible for primary school were enrolled in 1979, an increase of over 20 percent from earlier in the decade. The adult literacy rate for that year was listed at 53 percent.

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U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
              (U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: MADAGASCAR
                                 1980       1981      1982
-------------------------------------------------------------

1.ECON. ASSIST.-TOTAL...          0.0        9.0       12.1
      LOANS.............          0.0        4.6        4.8
      GRANTS............          0.0        4.4        7.3
 A.AID .................          0.0        0.0        0.4
      LOANS.............          0.0        0.0        0.0
      GRANTS............          0.0        0.0        0.4
    (SEC.SUPP.ASSIST.)...         0.0        0.0        0.0
 B.FOOD FOR PEACE.......          0.0        9.0       11.7
      LOANS.............          0.0        4.6        4.8
      GRANTS............          0.0        4.4        6.9
 TITLE I-TOTAL..........          0.0        4.6        4.8
  REPAY. IN $-LOANS.....          0.0        4.6        4.8
  PAY. IN FOR. CURR.....          0.0        0.0        0.0
 TITLE II-TOTAL.........          0.0        4.4        6.9
  E.RELIEF.EC.DEV & WFP.          0.0        2.7        6.0
  VOL.RELIEF AGENCY.....          0.0        1.7        0.9
 C.OTHER ECON. ASSIST...          0.0        0.0        0.0
      LOANS.............          0.0        0.0        0.0
      GRANTS............          0.0        0.0        0.0
         PEACE CORPS....          0.0        0.0        0.0
         NARCOTICS......          0.0        0.0        0.0
         OTHER..........          0.0        0.0        0.0

II.MIL. ASSIST.-TOTAL...          0.0        0.0        0.0
      LOANS.............          0.0        0.0        0.0
      GRANTS............          0.0        0.0        0.0
   A.MAP GRANTS.........          0.0        0.0        0.0
   B.CREDIT SALES-FMS...          0.0        0.0        0.0
   C.INTL MIL.ED.TRNG...          0.0        0.0        0.0
   D.TRAN-EXCESS STOCK..          0.0        0.0        0.0
   E.OTHER GRANTS.......          0.0        0.0        0.0

III.TOTAL ECON. & MIL...          0.0        9.0       12.1
      LOANS.............          0.0        4.6        4.8
      GRANTS............          0.0        4.4        7.3
--------------------------------------------------------------
OTHER US LOANS..........          0.0        0.0        0.0
 EX-IM BANK LOANS.......          0.0        0.0        0.0
 ALL OTHER..............          0.0        0.0        0.0
--------------------------------------------------------------
ASSISTANCE FROM INTERNATIONAL AGENCIES
                  1980      1981      1982     1946-82
-------------------------------------------------------------
TOTAL........     55.3      15.0      22.2     594.9
IBRD               0.0       0.0       0.0      32.6
IFC                1.3       0.0       0.0      12.5
IDA               48.0       0.0       0.0     257.0
IDB                0.0       0.0       0.0       0.0
ADB                0.0       0.0       0.0       0.0
AFDB               0.0       9.7      22.2      47.8
UNDP               6.0       1.3       0.0      41.6
OTHER-UN           0.0       3.5       0.0      10.5
EEC                0.0       0.0       0.0     192.9
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MALAWI

The Government of Malawi is a one-man autocracy in which Life President Hastings Kamuzu Banda has held virtually unchallenged power, based on a philosophy combining nationalism and traditionalism, since independence in 1964. President Banda has maintained undisputed control over all aspects of government and heads the sole legal political party, the Malawi Congress Party, which controls the Government. The Party contains separate women's and youth branches which assist in funneling grassroots interest and concerns to the leadership, while at the same time acting as a conduit for implementation of decisions taken by the leadership. Popular participation is circumscribed by and subordinated to the prevailing political, economic, and social philosophy of the Life President. The Government emphasizes economic development which, according to its claims, can only be accomplished in an atmosphere of "peace and calm, law and order."

Malawi became independent in 1964 with a per capita Gross National Product of approximately $100. From that time until the end of the 1970's, the GNP grew at the substantial real rate of about seven percent annually, resulting in a 1982 per capita GNP of $220. Malawi is, however, still one of the world's poorest countries. The Government's major priority has been the economic development of the land and its more than six million citizens. While progress has been made, it has not been without cost. There have been and continue to be violations of civil and political rights in response to real or perceived challenges to the authority of the Government.

Opposition to the Government is banned, and challenges to the system are suppressed. Total loyalty, not merely passive acceptance of party and government policy, is demanded under penalty of suspicion and perhaps detention by the authorities. Thus, if suspect by the authorities of anything less than unflinching loyalty to the Life President and Party, a person's rights may easily be violated. Hence, such civil liberties as exist do so at the suffrance of the authorities and are highly circumscribed. Political activity is limited to participation in the sole political party and conforming with its views and practices. But, while limitations on human rights are pervasive in Malawi, they are not particularly harsh. There are only 50 political prisoners, and relative freedom of association exists.

There have been few changes in the state of human rights in the past year. A general liberalizing trend began in 1977 with the release of a large number of political detainees, and it has continued in less dramatic fashion since. Arbitrary arrest, however, with resulting short term detention for perceived violations of prevailing political, economic and social norms, is still commonplace, and is accompanied by degrading and sometimes cruel treatment. Such actions are directed at individuals and not groups or classes of the citizenry. Thus, they are not institutionalized and may be applied according to individual circumstances. There appears little likelihood of a major shift in the direction of human rights practices during the reign of President Banda.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

The government of Malawi has not executed anyone on political grounds since the mid-1970's, when a Party purge was conducted at high levels. There is no evidence of killings or the sanctioning of killings by the limited exile opposition.

b. Disappearance

Malawians are frequently surreptitiously detained by the police, usually acting at the direction of the Party. Such disappearances are usually short-lived (no more than a few weeks or months) and are carried out in the name of either national security or breach of Party discipline. There are no known instances where such detentions have led to death. Dissident groups confine their opposition activities to protesting from outside Malawi.

c. Torture

While torture is not officially condoned by the Government, it is, nontheless, practiced by both Party and police officials. There is no specific reference to torture under Malawian law. Torture which does occur generally takes the form of beatings "in camera" by police authorities and can occur at the time of arrest or detention or during interrogation. Such activities are rarely, if ever, publicized or punished.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Malawians convicted of violations of the law are sentenced to varying prison terms. Less severe and less dangerous offenders are normally sent to prison farms while more dangerous offenders are sent to Zomba prison. Sentences which include hard labor are the norm, while execution is practiced (hanging) for capital offenses such as murder and treason. Prisoners who comply with internment rules are not believed to be treated in a cruel or inhuman manner. Political prisoners may be incarcerated either at Zomba prison, at a prison farm, or may be under a looser form of detention such as house arrest, depending on the will of the President. In its 1982 report,reviewing events of 1981, Amnesty International noted reports that political detainees receive harsh treatment, including complete isolation and denial of contact with relatives.

There is little evidence that punishment in criminal cases varies according to social class, race, sex, or religion. According to a reliable source, political detainees are less susceptible than are criminal suspects to harsh or degrading treatment. The facilities in Malawian prisons are generally on the level of other less developed countries and reflect official efforts to maintain humane conditions of treatment.

e. Arbitrary Arrest and Imprisonment

At any given time there may be numerous detainees held without charge who have been arrested arbitrarily for real or perceived offenses against the Party or Government. As indicated previously, however, these detentions, without specific charges being filed, are invariably for a short term. Most observers agree that there are probably less than 50 long-term political detainees, although some international human rights organizations have challenged this figure, claiming thousands of detainees are incarcerated in Malawi. There is little, if any, evidence to support this charge. Habeas corpus, per se, does not exist, although there are provisions in the law permitting the High Court to order the release of a prisoner. Successful application of these provisions in at least one recent case should not be construed to imply that habeas corpus or its equivalent is commonplace in Malawi. Preventive detention exists but according to credible legal authority, its use is uncommon now. Detention laws and practices greatly favor the state rather than the individual. Thus, a suspect can be held without charge for a long period of time following an arrest, while a case is being developed by authorities.

f. Denial of Fair Public Trial

Individuals charged with criminal offenses are generally dealt with promptly and fairly in the modern court system, where the defendant has the right to legal counsel. Legal counsel is effective. The defendant has a right to a trained defender who has normal access to the defendant and judicial proceedings. Government exerts little control over the trial system in civil cases tried before the High Court or magistrate courts. There is little or no evidence with respect to government control over the traditional court system. Legal practioners may appear in traditional courts in some cases, i.e., when the case in question is not one of customary law and in those traditional courts so prescribed in Malawi law statues. Courts are generally open to the public and defendants are charged publicly.

The modern judiciary (High Court and magistrate courts) is almost totally independent of the executive, other than the fact that the President appoints the Chief Justice of the High Court who, in turn, appoints other modern court justices. Traditional court justices are all appointed directly by the President; hence there is more room, presumably, for executive influence. It is generally believed that there is little executive interference in traditional court cases dealing in matters of customary law. There is probably some executive pressure applied on traditional courts which are adjudicating cases of a political nature, but there is little, if any, evidence available to prove this assumption.

All political cases are not automatically tried in traditional court. The decision is made by either the director of public prosecution or the attorney general, but the trend, of late, is that political cases are likely to wind up before a traditional court. There is a right to appeal in both the modern and traditional court systems. Trial in military court is reserved for violations of military codes of justice.

g. Invasion of the Home

Under Malawi law, warrants must be obtained before entry of the home, and they must be obtained on an individual basis. Whether or not this is observed in practice is open to question. There is evidence that police enter houses of real or imagined suspects at will under special entry authority to conduct searches for people or incriminating evidence. Other violations of the home generally do not occur.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Exercise of these freedoms is restricted in law and practice to prohibit any criticism of government officials and policies. All media are under direct or indirect government control. The state radio network disseminates news directly authorized by the government information agencies. The two national newspapers operate under informal self-censorship guidelines. Both media have shown increasing candor in coverage of international issues over the past two years. In practice the principal focus of government censorship is on the proscription of material deemed sexually immoral. There also has been increasing liberalization in the application of censorship controls affecting materials for broad public distribution, with more reliance on self-policing methods and establishment of broad categories of exemption from examination or control. There is freedom of inquiry into the natural and social sciences at the university level, including examination of political ideologies at radical variance with those of the Government, provided this does not extend to explicit criticism of the Government. The unwritten prohibition against public discussion of certain issues is by far the more serious problem. The issues are fairly clear and universally known and include presidential succession, opposition political viewpoints, criticism of government organizations and/or officials, population control, communism, and violent physical assaults on world leaders.

b. Freedom of Peaceful Assembly and Association

Malawian individuals and organizations are generally free to meet and associate as long as the purpose is not to protest against government or party policy or practices. Professional, fraternal and service organizations exist and are encouraged by the Government. No political meetings are permitted other than those of the Party. Labor unions exist, but their activities are highly circumscribed, and they are generally ineffectual. Strikes are not legally prohibited, but they rarely occur and when they do they are not publicized. Labor unions are virtual appendages of the party, hence, of the Government. The Malawi Trade Union Congress is permitted to associate with international labor organizations, but such association is conducted with the permission and supervision of the Government.

c. Freedom of Religion

There is no state or preferred religion, and freedom to practice one's religious beliefs is permitted as long as particular religious tenets do not preclude recognition of the temporal authority of the state. There are no restrictions placed on religious observances and ceremonies. Conversion from one religion to another is permitted, and followers of minority religious persuasions are not discriminated against. There was repression of adherents of the Jehovah's Witnesses faith in the mid-1970's when members were deemed to be engaging in political activities. Problems were overcome through mutual accommodation, however, and there has been no recurrence of such repression since.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

No restrictions have been observed on movement within Malawi nor is there significant restriction on travel abroad. However, passports have been denied to some persons on political grounds. Legal provisions exist for restricting the movement of those convicted of criminal or political offenses. Formal emigration is not restricted, nor is it encouraged. With the exception of a small group of political dissidents, there is no outward flow of Malawian refugees from the country. If an expatriate was born in Malawi, he or she may return. Citizenship may, in principle, be revoked, but in practice this is not done.

While Malawi does not accord official status to refugees from neighboring countries, it has treated them generously, and has pursued a policy of persuading rather than coercing such refugees to return to their own countries. Asian residents and citizens are free to travel within the country. Since the late 1970's, however, they have been required to reside in one of three urban areas (Lilongwe, Zomba, or Blantyre/Limbe). Even within some of these urban centers there are strict rules governing where all Asians except expatriate ethnic Asians may reside and operate businesses. Asian residents (Malawian and non-Malawian citizens alike) have been compelled to transfer ownership of specific catagories of businesses to ethnic African Malawian citizens.

e. Freedom to Participate in the Political Process

Malawi is ruled by one man, the Life President, through the apparatus of the sole political party and Government which are closely linked. No opposition political parties are permitted. One must be a Party member to participate in the political life of the nation, to be a member of parliament, or to be a civil servant. Thus, Malawi's political processes are highly centralized. Nearly half of the population are members, at least nominally, of the Party, but active Party membership is obligatory if one aspires to higher levels of leadership. The pervasiveness and broad based structure of the Party does provide for some choice among candidates for office. There are nearly always at least three candidates standing for election to office, such as for a parliamentary seat. All those whose name appear on the ballot have been nominated by the appropriate level of the Malawi Congress Party and submitted to the President for vetting. Active campaigning for election is not permitted. All candidates represent the same ideology and must be of the same political persuasion as the nation's leadership. Alternative policies, programs, or even outlooks are not tolerated. Elections only permit the elector to select among the similar candidates or not to vote. The National Assembly (parliament) consists of both "elected" and nominated members, the percentage of each fluctuating annually, and has little real authority. It is mainly concerned with ratifying Government policy. The President determines who will serve as a nominated member. There is no difference between the powers of those elected or nominated. Women are an integral and important part of the Political dynamics, as the Women's League is a mainstay of the Party. Women members also sit in parliament (mostly as nominated members). The Party apparatus serves to transmit decisions from on high to the local level, and it functions as a channel for grass roots opinions to reach decision makers. At the local and area level, the Party and Government interact closely in virtually all public service activities and projects.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Malawi usually avoids participation in international human rights bodies. In 1980 the Malawi Government responded to a long standing complaint lodged with the UN Human Rights Commission concerning the persecution of Jehovah's Witnesses by rejecting the charges. No futher complaints have been placed with the UNHRC since. Since the capture of Malawian dissident Orton Chirwa, his wife, and son in late 1981, human rights groups from abroad have contacted governments which are represented at the diplomatic level in Lilongwe to ensure that the Chirwas are accorded due process. The government's response has been publicly non-committal. However, there has been virtually no communication between government and external non-governmental human rights groups, nor have such groups been permitted to visit Malawi. Internally, there are no organizations or formal groups which are dedicated per se to the protection of individual liberties, nor would such groups be allowed to exist. In its 1982 report, Amnesty International continued to express concern about the use of detention without trial and the lack of effective safeguards against ill-treatment of political detainees.

4. Economic, Social and Cultural Situation

Malawi has a de facto mixed economy. There is heavy state involvement in key sectors of the economy, largely caused by insufficient indigenous private capital and an absence of inerests by foreign investors. The upward trend in Malawi's economy from the time of independence in 1964 until the late 1970's has leveled off in the past three years. Per capita gross domestic product (GDP) grew from $180 in 1964 to $234 today, but has actually declined in real terms in the last three years.

The economy is predominately agricultural. The inflation rate reached 13 percent in 1981 and has remained high since then. Numerous factors, both domestic and international, have contributed to a deterioration in the nation's terms of trade. Prices have fallen for Malawi's principal exports (tobacco, sugar, and tea), while import prices (most importantly for petroleum products) have escalated. Two successive years of adverse weather conditions and crop disease in 1982 have resulted in poor harvests of staple food crops. Disruptions of transport routes through Mozambique (Malawi's lifeline to the sea) also have occurred. The short term economic outlook is dim. Current account deficits are estimated to exceed $150 million annually through the mid 1980's, and the balance of payments deficit will continue to be around $30-$40 million a year.

The Government's development efforts since independence have focused on economic growth with equity: emphasis has been on alleviation of rural poverty by increasing agricultural productivity. Education and, more recently, health, come next in Malawian priorities. In 1979 academic enrollment increased dramatically: 10.4 percent in primary schools; six percent in secondary schools; and 20 percent at the university level. While strides in the educational area have been significant (there were nearly 800,000 students attending schools in Malawi in 1979 of a total national population of about six million), severe problems remain as the literacy rate is still only 25 percent, and spaces in secondary schools are available for only 10 percent of those eligible from primary school.

Government expenditures for health, water, education, and housing relative to other budget items have remained low. In the 1970's nearly nine percent of the budget was allocated for these sectors, and during the period from 1978/79 to 1980 it was eight percent. Health and life expectancy in Malawi are below average relative to other Sub-Saharan African countries. Life expectancy at birth is now 44.2 years (up from 38.5 years in 1968), reflecting only a marginal improvement in a decade. The infant mortality rate at 171.9 per 1,000 live births is about 20 percent higher than the Sub-Saharan average. The crude birth rate is 52 live births per 1,000 population -- one of the highest in Africa. Average annual calorie intake of 100 percent of requirements is higher than the continental average. Thirty-three percent of the population had access to safe drinking water (70 percent in urban areas) in 1979, but this is expected to increase to over 80 percent by 1986. Malawi had the third highest number of persons per physician of the nations of sub-Saharan Africa.

Malawi enjoys a considerable degree of ethnic and linguistic uniformity. While ethnic and regional differences do exist, they have not been a disruptive element within the society. Over 75 percent of the population speaks and/or understands Chichewa, the language of the Chewa and Nyanja. In 1968 Chichewa became the national language of Malawi. English is the official language for government and business. Malawi's indigenous groups are sufficiently alike in culture and social organization to permit relatively easy interaction, including intermarriage, mixing in agricultural settlements, and mixed grouping for political purposes.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: MALAWI

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	5.9	9.5	8.7
LOANS..............	0.0	2.2	0.0
GRANTS.............	5.9	7.3	8.7
A.AID	4.4	6.0	7.7
LOANS..............	0.0	0.0	0.0
GRANTS.............	4.4	6.0	7.7
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	1.1	2.9	0.1
LOANS..............	0.0	2.2	0.0
GRANTS.............	1.1	0.7	0.1
TITLE I-TOTAL..........	0.0	2.2	0.0
REPAY. IN $-LOANS.....	0.0	2.2	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	1.1	0.7	0.1
E.RELIEF.EC.DEV & WFP.	1.1	0.7	0.1
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.4	0.6	0.9
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.4	0.6	0.9
PEACE CORPS......	0.4	0.6	0.9
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.1
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.1
D.TRAN-EXCESS STOCKS..	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	5.9	9.5	8.8
LOANS..............	0.0	2.2	0.0
GRANTS.............	5.9	7.3	8.8
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	34.8	78.8	14.1	434.3
IBRD	0.0	45.0	0.0	75.2
IFC	2.0	2.9	5.5	26.0
IDA	13.8	0.0	0.0	188.9
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	17.1	14.5	8.6	85.4
UNDP	1.9	7.1	0.0	36.0
OTHER-UN	0.0	3.3	0.0	8.3
EEC	0.0	5.0	0.0	14.5

MALI

Mali is one of the poorest third world countries, with an economy based on agriculture and animal husbandry. After independence, Mali was ruled by a single leader following a socialist philosophy strongly influenced by Marxism-Leninism. In 1968 this regime was replaced by a small group of military officers, who have since brought civilians into the governing bodies and have begun to liberalize the economy. The Government is currently controlled by one of the leaders of the 1968 coup, General Moussa Traore, and the nationalist party he has organized. The majority of party officials are now civilians. No other political parties are permitted, and there is no organized political opposition in Mali.

Traditionally, Malians have governed themselves by consensus, under the leadership of a local notable and his counselors. The current regime has declared the goal of fostering civilian rule and democratic practice. In 1981-82, elections from the local to the national levels in party and state institutions introduced some freedom of choice among candidates at the lowest levels, especially in the party balloting. Within the last year, the Government has also moved to decrease the role of the state sector in Mali's economy.

The right to the integrity of the person and civil rights are officially guaranteed, and to some extent are supported by administrative procedures. Avenues of recourse in the event rights are abused tend to be through personal influence rather than through official channels, however. Political rights are circumscribed by the party, which limits electoral choices and restricts public debate and assembly to party fora only. There is no threat to Mali at this time from terrorist groups either internally or externally based.

During 1982, there was no civil strife in Mali. The Government, sensitive to its human rights record, released in mid-1981 the last of the students and teachers detained in connection with school strikes and demonstrations in 1979-80. There were no known new arrests of political prisoners, and union strikes were settled without violence. Some individuals who were associated with leaders of a 1978 coup attempt, however, are still prevented from finding new jobs. There is a recent trend toward more freedom of electoral choice, within the context of the single party. The Government has enunciated its desire to encourage private sector economic activity, but it has yet to establish a policy framework to implement this desire.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

During 1982 there were no reported instances of killing for political motives in Mali.

b. Disappearance

During 1982 there were no reported instances of disappearance in Mali.

c. Torture

Although neither a generalized punishment nor a commonly discussed complaint, torture, consisting principally of beating suspects, is an occasional practice at police stations in the course of interrogations. This is sometimes the only punishment attached to a crime.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

There are relatively few prisoners in Mali, and prison conditions are not cruel or degrading. They are, however, severe for lack of adequate food, hygiene, and medical care. The abuses mentioned in paragraph 1c are typical only of short term detentions at police stations but not of treatment accorded the small number who actually enter the prison system. Prisoners usually have access to family, friends, attorneys, and others. An exception is the small number of prisoners, sometimes political ones from the period before 1978, who are confined in a remote northern Saharan area where the terrain acts as a maximum security environment. Most of the long-term political prisoners have also been convicted on corruption charges. Their numbers are decreasing as those considered too old or sick to pose a threat to the regime are released. On September 22, 1982, Independence Day, the President pardoned 18 prisoners, including at least one political detainee, and diminished the sentences of 27 others.

e. Arbitrary Arrest and Imprisonment

During 1982 there were no reported instances of arbitrary arrest. Malian law does not recognize the principle of habeas corpus or its equivalent. Because of the slow pace of administrative processing, persons awaiting trial are often detained for considerable periods, and sufficient funds for their upkeep have usually not been budgeted by the Government. As a result, prison conditions are worse if a large number of detainees awaiting trial are on hand at a given time. Recently, the Government has made efforts to bring detainees to trial more quickly.

f. Denial of Fair Public Trial

Pretrial proceedings are sometimes protracted, and state employees charged with corruption are frequently held for years, until they have paid back most or all of the funds they embezzled. Trials, on the other hand, are usually very short. Charges are clearly stated, and the defendant has usually admitted his guilt. Lawyers generally argue mitigating circumstances. The appeals process is limited to presentation of important verdicts to the President, who may issue pardons or call for a new trial. The judiciary is an arm of, rather than independent from, the executive. The special court of state security, which handles only cases of diversion or embezzlement of government funds, operates as regular criminal courts do.

g. Invasion of the Home

The Constitution guarantees the inviolability of the home. Search warrants are issued by the security service effecting the search, and are diligently recorded, if sometimes after the fact. Such searches are infrequent.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of the press is not specifically guaranteed by the 1974 Malian Constitution. The state owns and operates all Malian media with the single exception of a private news periodical, launched in November 1982, that has published one issue. The Government does not permit criticism of its authority. Criticism of specific programs and policies (sometimes on important domestic issues), of aspects of the society, or of the performance of government offices (but not individual officials) is, however, sometimes allowed. Private publication of unauthorized opinions on political or economic policy questions is not sanctioned, and exposes authors, distributors, and recipients to the possibility of arrest. Journalists, all of whom are government employees, have been subject to suspension without pay for "impertinent" questioning of interviewees. Nonetheless, international newspapers and magazines generally circulate freely in Mali, even when they contain articles critical of the Government. President Traore does solicit local criticism and viewpoints on his occasional visits throughout Mali, as do regional and local officials. In public meetings, organized when a government dignitary visits, Malians are encouraged to express their local needs and problems. These discussions are frequently vigorous and are not known to lead to retribution.

b. Freedom of Peaceful Assembly and Association

The Constitution guarantees the right to strike and the right of all persons to organize and belong to unions or professional organizations of their choice. But in practice, the labor movement is closely supervised by the Government. Although union and party officials proclaim the national union to be organizationally separate and independent of party control, no group is allowed to form an independent, alternative union. (Teachers were denied this right in 1981.) Union officials, though elected by union members, must be acceptable to party leaders. However, union leaders often express opinions contrary to government policy and are frequently consulted by government authorities on labor issues. The twelve affiliate unions of the national union hold triennial congresses where officials are elected and a national congress selects officials of the national labor movement. Most salaried workers in Mali are union members, and strikes are permitted. During 1981 and 1982 there were only minor strikes, centering around payment of back wages. All were settled peacefully and within a few days.

Permits are required for large groups to assemble for religious and social purposes. They are usually granted, sometimes on an annual basis.

c. Freedom of Religion

Mali is a secular state, and the Government carefully holds to a policy of not discriminating on religious grounds. While the majority religion is Islam, Christian missionaries find the Government cooperative and generally impartial. They operate in both animist and Muslim areas. Although the Baha'i sect is forbidden to propagate its views, the Baha'is and others are free to practice their religion without hinderance.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Freedom of movement in Mali is generally unimpeded, although travelers are sometimes subject to police checks, especially at night. These are allowed by law, ostensibly to restrict the movement of stolen or contraband goods. In practice, the underpaid police often use document checks and vehicle searches to assess fines for minor infractions and so provide themselves with additional income. Malians must obtain an exit visa to travel abroad, but there are no barriers to emigration or repatriation. There are no refugees in Mali.

e. Freedom to Participate in the Political Process

The Malian Government is headed by General Moussa Traore, who is Secretary General of the single political party, the Democratic Union of the Malian People, as well as President and Chief of the Security Forces. Traore governs through a 19-member Central Executive Bureau of the party and, secondarily, through a Council of Ministers. He heads both bodies. The party, established by Traore in 1979 as a step toward civilian rule, is intended to "mobililze the population" and to function as the main vehicle for "articulating the popular will", but it has only begun to attempt to fulfill that role. The party's 1981-82 local elections, however, were open to party members desiring to run, and most posts were actively contested by multiple candidates. Anyone who is interested is encouraged to join the party and most Malians with fixed addresses and virtually all government employees have bought party cards for a small sum, officially becoming party members. There were signs of increasing interest in the party during 1982 following the new Executive Bureau's election at the party congress in February.

National Assembly elections in 1982 were much less open than party ones and were managed by the party. For each district, local party units nominated three potential assembly candidates. The party's Central Executive Bureau then reviewed these nominations and selected the final slate of one candidate for each assembly slot. Reportedly, the selection generally followed the preferences expressed by local party organizations. Twelve of the 83 representatives were newly chosen in 1982. The National Assembly debates proposed legislation in closed sessions and offers confidential advice to the Government. But it has never been known to reject legislation.

While women are free to participate in the Malian political process and are represented at all levels of the Government and the party, the paucity of women officials reflect women's traditionally subordinate status. Few women are willing to attempt to combine a political career with their family responsibilities, and at local political gatherings it is generally only male heads of family groupings who take part. Nevertheless, a woman cabinet minister (Minister of Information) was appointed in July 1980, there is a female member of the party's Central Executive Bureau, and there are two female deputies in the 83-seat national assembly. The party's women's auxiliary, the National Union of Malian Women, has strong leadership and plays an active role in urging women to exercise their rights.

In line with government policy, minority ethnic groups are scrupulously represented at the highest state and party levels, although the practice of assigning local officials to serve outside their native region results in minority ethnic groups being underrepresented in their regional administrations. There is very little ethnic friction in Mali. However, despite government policies to ensure representation of minorities in the Government, most Tuaregs and other nomadic minorities remain only marginally integrated into Mali's modern economic and political structures.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

No currently outstanding requests for outside investigation of human rights in Mali are known. The Malian Government has demonstrated its responsiveness to criticism from international human rights groups. In 1980, Amnesty International advocated the release of several teachers imprisoned for trade union activities. In 1981, the teachers were released following a meeting in Paris between President Traore and Amnesty International representatives. Amnesty's 1982 Report does cite a number of concerns in Mali: political imprisonment, detention and banishment without charge or trial, and poor prison conditions. Freedom House, in its 1982 reports, lists Mali among those countries that are "Not Free."

4. Economic, Social, and Cultural Situation

Poverty is widespread and pervasive in Mali. The Government remains committed to the goal of economic development and a better quality of life, and its policies are officially focused on responding to the needs of the poor. These needs are in general addressed on a non-discriminatory basis, although urban dwellers and government employees are at an advantage. Mali's plans for economic development are severely limited, however, by a lack of natural resources and mismanagement of the economy.

The Government makes a special effort to improve the lot of women, and women have entered government employment in significant numbers in recent years. They are also represented in Mali's small industrial processing sector. Female circumcision is widely practiced in Mali but is not sanctioned by the Government. The party's women's auxiliary has publicized the disadvantages of this practice in radio broadcasts and newspaper articles. The women, however, have stopped short of campaigning against it.

The right to own property is protected in Mali. Access to health care depends on proximity to the larger towns. A public health mechanism is provided for salaried government employees, but most people receive little or no health care. The Government has stated its commitment to provide health care at the village level and has encouraged several donor-supported projects with this aim.

Life expectancy at birth has increased from 37 years in 1968 to 43.12 years in 1980. The infant mortality rate in 1980 was 154.4 deaths per 1,000 live births.

Mali suffered from severe drought in the mid 70's. In 1977 the average Malian had access to 90 percent of daily caloric requirements, down from 94 percent in 1970. According to the most recent estimate, approximately nine percent of the population has access to safe water. This includes 42 percent of the urban population and three percent of the rural population. According to the Constitution, a free education is a right of all Malians. The percentage of the budget devoted to education has risen from an estimated three percent in 1962 to 30 percent in 1982. The adult literacy rate was estimated at 10 percent in 1975, but a major program is under way to increase literacy. In 1978, 28% of the primary school age group was enrolled in school. At the opening of the 1982-83 school year, enrollments were 350,000 (primary), 20,000 (secondary), and 6,000 (superior schools), respectively.

The general trend of real per capita gross national product has drifted downward in the 22-year period since independence. Per capita GNP in 1980 was estimated at $192.70, for a population of 6,801,000. Economic development programs are aimed at improving the lives of the country's overwhelmingly rural agricultural and nomadic population. Bamako's rapidly increasing indigent population continues to be the subject of intense concern. The population growth rate was 2.8 percent in 1980. Mali's well-defined family responsibilities play an important role in supplying a buffer for many Malians against unemployment, deprivation and old age. These responsibilities also cover other Malians who, although not part of the family, serve in a retainer status and are economically dependent on the family.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: MALI

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	17.3	15.9	11.9
LOANS..............	0.0	0.0	0.0
GRANTS.............	17.3	15.9	11.9
A.AID	15.5	14.5	9.6
LOANS..............	0.0	0.0	0.0
GRANTS.............	15.5	14.5	9.6
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.6	0.0	0.8
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.6	0.0	0.8
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.6	0.0	0.8
E.RELIEF.EC.DEV & WFP.	0.6	0.0	0.8
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	1.2	1.4	1.5
LOANS..............	0.0	0.0	0.0
GRANTS.............	1.2	1.4	1.5
PEACE CORPS......	1.2	1.4	1.5
NARCOTICS........	0.0	0.0	0.0
OTHER...........	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.1	0.1	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.1	0.1	0.1
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.1	0.1	0.1
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	17.4	16.0	12.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	17.4	16.0	12.0
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	23.0	1.5	37.0	454.3
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	2.6	3.2
IDA	8.0	0.0	0.0	176.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	13.4	0.0	25.6	85.2
UNDP	1.6	0.9	0.0	44.8
OTHER-UN	0.0	0.6	8.8	19.0
EEC	0.0	0.0	0.0	126.1

MAURITANIA

The Islamic Republic of Mauritania has been ruled by a Committee for National Salvation since the military took power in a coup d'etat in July 1978. The Committee rules by decree and little provision is made for dissent. The Committee inherited a series of major problems stemming from an economy that had been seriously weakened by the drought, Mauritania's involvement in the Western Sahara conflict, as well as from internal political and social difficulties.

The country is also plagued by internal political difficulties. Mauritania's dominant Moors and the ethnic black population have clashed over the issue of Arabization of the schools. Renewed efforts to abolish slavery and to introduce the Sharia (the Islamic legal code) in criminal cases have been similarly contentious; both constitute ambitious efforts to reshape the basis of Mauritanian society. By attempting to end vestiges of slavery, the Government is trying to reduce ethnic tensions between the blacks and Moors. By introducing a strict and simple criminal code based on Islamic law, relying on corporal punishment to deter crime, the Government is attempting to reinforce identification with Islam and reduce common crime substantially.

The 1979 peace treaty with the Polisario (Popular Front for the Liberation of Sakiet Al-Hamra and Rio de Oro) removed Mauritania from direct participation in the Western Saharan conflict. However, the peace treaty solved neither the economic problems caused by debts incurred fighting the war, nor the delicate issue of remaining neutral in a conflict involving countries in the sub-region.

The drought that devastated the Sahel in the early 1970's also caused serious damage in Mauritania, decimating livestock herds and driving nomads into the capital city. Although iron ore production has been restored to levels attained before the Saharan War began and government spending has been reduced, drought conditions have raised the cost of food imports. Mauritania's serious economic difficulties place a severe burden on the impoverished majority of the population. Increased energy costs have added substantially to Mauritania's international debt.

In the context of these problems, the Committee has imposed firm controls over the country, restricting political activity. The Government has forbidden all unauthorized assemblies organized for the purpose of political discussion. Opposition groups are not permitted, and the media is government-controlled.

However, the Government in 1982 has generally adhered to sections of Mauritanian law that guarantee the integrity of the person. There is no recent evidence of mass arrests, brutality, or torture. The administration of justice is based on the French Declaration of the Rights of Man, the Universal Declaration on Human Rights, and the Sharia. A return to civilian rule has been discussed by the Government since taking power and remains its stated goal.

A coup attempt against the Committee on March 16, 1981 constituted the severest test to date of the military's authority and led the Government to take steps to reassert its control. Although the coup was put down, the Committee reacted by executing or imprisoning the participants after a public trial, and by breaking diplomatic relations with Morocco, which it accused of harboring and supporting the coup plotters. A move towards civilian government, begun in December 1980 with the appointment of a civilian prime minister and the discussion of a draft constitution, was postponed in the wake of the attempted coup.

Government attempts to meet the basic needs of the people and reduce social and economic inequities are hindered as much by Mauritania's extremely low population density as by severe economic constraints. Easing of chronic food shortages, made worse in recent years by the drought, as well as educational development are the major goals of the Government.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no reports of killings carried out for political or other motives by the Government or opposition political organizations in Mauritania since the executions following the March 1981 coup attempt.

b. Disappearance

There is no evidence of abductions, secret arrests, or clandestine detentions. There are no reports of terrorist activity within the country which includes such practices.

c. Torture

Mauritanian law prohibits the use of torture and there is no evidence that it is practiced.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Except for the executions which followed the 1981 coup attempt, there is no recent record of either summary executions or of degrading treatment of prisoners. Following adoption of the Sharia, a murderer convicted by Islamic courts after a public trial was executed publicly by firing squad; three convicted thieves were punished by having their right hands cut off. Public flogging of thieves convicted of petty crimes took place on one occasion, but in 1982 public punishment has rarely occurred.

The Government's announcement in July 1980 that slavery was abolished in Mauritania drew international attention to this complex social and economic phenomenon, with deep roots in the country's culture and traditions. The institution persists largely in Southern Mauritania, where it originated in conflicts between nomadic Moors and the settled blacks. The Moors gradually exerted their domination over some black groups, most of whom originally inhabited the Senegal river basin, reducing them to various forms of servitude. French colonial administrators outlawed slavery, with little practical effect, in the early part of this century. The abolition of slavery was included in the Constitution promulgated at independence in 1960. The July 2, 1980 Declaration of the Abolition of Slavery reaffirmed the Mauritanian Government's view that the institution of slavery is illegal.

Although the exact number of slaves in Mauritania is unknown, it is believed there are less than 100,000 in the country. The status of slaves and the large class of descendants of slaves and freed slaves is regulated by complex social obligations. Slave owners, for instance, provide food and clothing and sometimes guarantee employment. On the other hand, many freed slaves must still give part of their harvest or wages to their former masters. President Haidalla claimed that Islam was opposed to slavery in his 1980 speech announcing abolition of the institution. Many Moors fear that its extirpation will cause economic hardship and serve as a catalyst for the overthrow of other traditional institutions.

While the Mauritanian Government remains firmly and officially opposed to slavery, and has named a commission to investigate the institution and make recommendations for its abolition, forced labor probably still exists in the vast and underpopulated country. Government officials claim that all workers are always paid, although payment is reputed to be made in shelter, clothing, and food. Thus far, the 1980 declaration of the abolition of slavery can be said to represent a firm statement of government intent, but it is not possible to judge the extent of its practical effect on the institution.

e. Arbitrary Arrest and Imprisonment

The former civilian government decreed that authorities have the power to detain anyone whom they judge to be a threat to national security. This power of preventive detention is still in effect under the ruling military committee. Preventive detention has no time limit and there is no right of habeas corpus. Detainees are usually confined to their residences. Mauritania's ruling military leaders continue to make use of this power. Approximately 15 former civilian and military officials are currently held under what is, in essence, a form of strict surveillance. Other officials have been banished to a remote part of the country under orders to refrain from political activity. In the fall of 1979, the Government allowed the most important member of the previous regime, ousted President Mokhtar Ould Daddah, to travel to France for medical reasons. He reportedly remains in France.

After the signing of the 1979 peace treaty, the Polisario continued to hold a large number of Mauritanian prisoners of war. The prisoners, at one time believed to number approximately 1,000, were reportedly held at Polisario bases in Algerian territory. Reports that black prisoners have been mistreated or massacred remain unsubstantiated. It is unclear how many, if any, Mauritanians remain prisoners of the Polisario.

f. Denial of Fair Public Trial

The Government is generally committed to providing prompt judicial proceedings. An inadequate and underfinanced .

judicial system means that suspects sometimes are held for long periods before trial.

As part of the Government's campaign to reinforce the Islamic character of the nation and to cope with a dramatic rise in violent and immoral crime, Sharia law was extended to virtually all aspects of Mauritanian life (excepting only banking, insurance, and other financial activities) in 1980, and further refined on June 25, 1982. Until the present Government's action, two legal systems coexisted: the Sharia in the countryside among the nomads and small settlers (governing personal and public behavior) and western law in government, the capital city of Nouakchott, and smaller urban centers. Sharia law as practiced in Mauritania covers three types of crime: adultery, personal theft, and murder.

A Mauritanian court consists of a Muslim judge presiding over a jury chosen by the governor of the region having jurisdiction over the case. The defendant has a right to counsel and can appeal a guilty verdict to the Supreme Islamic Court within 15 days. Circumstantial evidence cannot be admitted as proof of guilt. All sentences must be approved by the President.

g. Invasion of the Home

The law prohibits such intrusions and there is no evidence that violations have occurred.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech, press, and assembly is restricted. Mauritania's only newspaper, news agency, and radio station are government-operated. The editorial content of each is controlled, and criticism of government policies is not permitted. Foreign newspapers and magazines are sold in the major towns and are rarely censored.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly has been suspended since the military assumed control of the country in 1978. Following the reorganization of the Committee in April 1979, the Government warned that political assembly, whether in public or in individual dwellings, would not be tolerated. At that time, and again after the March 16, 1981 coup attempt, curfews were imposed to discourage public gatherings. Both curfews were lifted within a few months of being imposed, but the restriction on political assembly remains in effect.

Labor unions are the sole organizations of real or potential political power not dissolved after the 1978 military coup. Union activity is supervised by the Union of Mauritanian Workers, a government organization attached to the Ministry of Employment and Training. Union officials state there are approximately 27,000 members. Union membership is not universal; workers must pay an annual membership fee of $3.75 to belong. A union is recognized only when it registers with the Union of Mauritanian Workers and accepts a Director General appointed by it. Union members pay nominal dues, but the Government indirectly finances most union activities. As under the Ould Daddah regime, the unions continue to work closely with the various ministries. The right to strike exists in theory in Mauritania, although no major strikes occurred in 1982. However, in April 1982 a few laborers went on strike for two days because they had not been paid. Their salary demands were met and they returned to work immediately.

c. Freedom of Religion

Islam is the official religion of Mauritania. Although almost all citizens are Muslim and the country's official name is the Islamic Republic of Mauritania, there are no restrictions on personal religious expression in Mauritania. However, proselytizing and the construction of churches and other non-Islamic houses of worship are not permitted. During the past year, some members of the Bahai faith were threatened with expulsion for proselytizing. There are no reports of religious discrimination in employment.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Free movement is allowed within Mauritania. Foreign travel requires a routinely obtainable exit visa from the National Police Office. However, some members of the former government have been refused permission to leave the country, and in some cases, have had their passports confiscated.

No refugee groups have requested resettlement or safe haven in Mauritania. A small number of Mauritanians have left the country because of political opposition to the present regime.

e. Freedom to Participate in the Political Process

Participation in the political process was completely and finally ended in 1978 when the military abolished Mauritania's only political party. At the present time, there are no elected representatives, and opposition groups are not tolerated.

In December 1980, President Haidalla announced the first step in restoring democratic government in Mauritania. A civilian prime minister was appointed, major changes were made in the composition of the Government, and a new Constitution was promulgated. However, since the coup attempt in March 1981, these steps toward democratization have halted. A military prime minister was appointed and steps toward a return to constitutional rule remained suspended in 1982.

There was an increase in political mobilization in 1982, although not meaningful political participation, through a movement of "mass education" structures (Structures d'Education de Masses). The Committee has emphasized themes of decentralized administration with greater development responsibilities assigned to the governors of each region. The "structures" are striving for more popular participation and increased awareness of development problems through nationwide mobilization of the population. Chief of State and President of the Committee Haidalla heads these structures, with other members of the Committee and senior administrators as principal leaders.

Although the black population is represented at all levels of government, many blacks claim the Moors are substantially overrepresented in government and religious institutions, since blacks believe they constitute a majority of the population. The Government insists, however, that a substantial majority of Mauritanians are Moors. Few reliable figures exist to buttress the arguments of either group.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights.

Amnesty International has requested that the Government of Mauritania provide information concerning the detention of several former members of the Government. Although the Mauritanian Government never formally responded to the Amnesty International inquiries, the officials in question were apparently released from detention in July 1981. In its 1982 report, Amnesty included among its main human rights concerns in Mauritania detention and banishment without charge or trial, what Amnesty termed unfair trials of alleged opponents of the Government, and judicially-ordered amputations and floggings.

In August 1981, the UN Human Rights Subcommission's working group on slavery heard a report from the Anti-slavery Society on slavery in Mauritania. The report accused the Mauritanian Government of taking no action to abolish slavery beyond the 1980 Declaration declaring it illegal. A Mauritanian observer at the session criticized the report, saying that the information had been badly analyzed, and invited the subcommission to send an expert of its own to investigate the situation first-hand. The subcommission in September recommended that the Human Rights Commission accept the invitation, although no visit had taken place as of late 1982.

The Mauritanian Embassy in Paris issued a protest against the report, contending that social ties formed over centuries cannot be effaced all at once. The Embassy further expressed dismay that the Anti-slavery Society had not offered Mauritania any assistance in working toward the suppression of slavery in the country.

4. Economic, Social, and Cultural Situation

Mauritanian economic growth has been slow. Few resources in Mauritania have been successfully exploited. Iron ore still accounts for 85 percent of the country's exports. Growth has been hindered by poor planning, increasing debt, and high import prices for food and energy. The severe drought of the 1970's, coupled with the war in the Western Sahara, has contributed to a rapid population shift to urban areas. Cities are overcrowded, meager government services cannot meet the elementary needs of the people, and industrial development lags far behind the size of the labor force. Education and health services are limited, as reflected in an 11 percent literacy rate and a 17 percent infant mortality rate.

Rural Mauritanians must battle the drought and cope with the slow disappearance of their traditional nomadic lifestyle. Government attempts to provide more services to the rural sector are hampered by the country's very low population density. Strong nomadic family traditions continue to provide the basis for support of the unemployed and elderly.

Small business enterprises are an important part of Mauritania's economy; small stands and shops flourish in the towns. The Government dominates large-scale industry, however, and nearly all major services and utilities are run by partially state-owned firms.

There is a large difference in income between the traditional subsistence (small farming and herding) and modern sectors (mining, commercial fishing, and government). The tax system is progressive, although few Mauritanians pay their true tax assessments. Private property rights at the personal level are respected.

In education, the Government's task is complicated by the very sharp divisions between the Arabic-speaking Moorish population and the blacks, who have traditionally preferred to be educated in French and local languages rather than in Arabic. The Government recently abandoned plans for total Arabization of the educational system after encountering widespread opposition.

Traditional cultural and social values limit the role of Mauritanian women in government and business. Some women have risen to prominent positions in the fields of health and education, and many women are employed as teachers and middle or low-level government bureaucrats. Statistics indicate that only half as many women as men avail themselves of educational opportunities, a phenomenon which may be due to cultural, rather than legal, constraints. Female circumcision still exists in most of Mauritania. More than 90 percent of Mauritania's women still undergo this traditional practice.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: MAURITANIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	11.6	15.8	11.2
LOANS..............	0.0	0.0	0.0
GRANTS..............	11.6	15.8	11.2
A.AID	2.7	8.5	6.3
LOANS..............	0.0	0.0	0.0
GRANTS..............	2.7	8.5	6.3
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	8.0	6.2	3.4
LOANS..............	0.0	0.0	0.0
GRANTS..............	8.0	6.2	3.4
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	8.0	6.2	3.4
E.RELIEF.EC.DEV & WFP.	6.7	3.4	1.7
VOL.RELIEF AGENCY.....	1.3	2.8	1.7
C.OTHER ECON. ASSIST...	0.9	1.1	1.5
LOANS..............	0.0	0.0	0.0
GRANTS..............	0.9	1.1	1.5
PEACE CORPS......	0.9	1.1	1.5
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	11.6	15.8	11.2
LOANS..............	0.0	0.0	0.0
GRANTS..............	11.6	15.8	11.2
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	26.1	11.8	4.9	347.0
IBRD	0.0	0.0	0.0	126.0
IFC	0.0	0.0	0.0	17.9
IDA	0.0	0.0	0.0	49.1
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	7.3	2.9	34.3
UNDP	1.1	3.7	0.0	17.8
OTHER-UN	0.0	0.8	2.0	6.6
EEC	25.0	0.0	0.0	95.3

MAURITIUS

The small island nation of Mauritius has a tradition of democracy, fair judicial practice, and high standards of human rights. The parliamentary political system is modeled on that of Great Britain. Mauritian citizens participate freely in the electoral process, selecting the representatives of their choice from among the candidates proposed by three major and several minor political parties. The economy is essentially a mixed one, with private entrepreneurs and parastatal organizations existing side by side. The Mauritian standard of living is equal to or slightly higher than that of the average middle-income developing nation.

As a result of the June 1982 parliamentary elections, political power was democratically transferred from the Mauritian Labor Party, ruling since the acquisition of independence in 1968, to a socialist alliance comprised of the Mauritian Militant Movement and the Mauritian Socialist Party.

The new Government has shown its intention of respecting and reinforcing the democratic traditions of Mauritius. One of the first acts of the Legislative Assembly was to pass a constitutional amendment strengthening previous legislation providing for the holding of national elections every five years. Municipal elections, indefinitely postponed by the former Government in 1980, have now been scheduled for December 1982, and will be overseen by the independent and impartial Electoral Supervisory Commission. Furthermore, Government leaders have manifested their intention of keeping party and governmental structures distinct.

The human rights record of Mauritius has been good. An independent judiciary administers a legal system based on Great Britain's, with scrupulous attention for the rights of the accused. Several political parties vigorously compete for the allegiance of voters without Government interference. Five dailies, one important weekly, and several other newspapers operate in a highly partisan fashion, subject only to the legal constraints of libel and slander. There have been no serious labor strikes or violent demonstrations against the Government in 1981-1982.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have never been any substantiated reports of killings for political or other motives by the Government or other political organizations.

b. Disappearance

There have been no reports of the disappearance of anyone in Mauritius for political reasons.

c. Torture

Any use of torture or inhuman punishment is prohibited by law. No allegations of torture have been made in Mauritius.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

These practices have not occurred in Mauritius.

e. Arbitrary Arrest and Imprisonment

There are no political prisoners in Mauritius. Habeas corpus exists in practice, and a subject can be held only up to forty-eight hours without being charged. Although arbitrary arrests occurred in the early 1970's, when the Government jailed opposition political and trade union leaders whom it accused of creating chaos and anarchy, there have not been any recent incidents of misuse of law enforcement and penal institutions for political ends.

f. Denial of Fair Public Trial

Mauritius' judicial system, modeled on that of Great Britain, consists of a Supreme Court with appellate powers and a series of lower courts. There are no political or military courts. Since the early 1970's, the courts' record of assuring fair public trials to all offenders has been good. Defendants have the right to private or court-appointed legal counsel. The judicial system is known for its independence. In the past it has made several politically difficult decisions, such as finding a prominent minister guilty of corruption.

g. Invasion of the Home

The sanctity of the home is guaranteed by law and respected in practice. The search of persons, property, or premises is allowed only under certain clearly specified conditions by order of the court, or by police decision if any illegal act has been committed.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech and press is protected both in the Constitution and in practice. Seven major privately owned newspapers, representing all hues of the political spectrum, freely ventilate their partisan and often highly critical views. The 1982 parliamentary campaign clearly demonstrated the respect of freedom of speech and press in Mauritius. For instance, both Government and opposition political parties were allocated free time on the national radio and television network to introduce their candidates and expound their views.

b. Freedom of Peaceful Assembly and Association

The Public Order Act requires police permission for demonstrations and mass meetings. Such permission is rarely refused. During the 1982 parliamentary campaign all political parties were allowed to hold almost daily rallies, culminating with one held June 6 by the socialist alliance, then in opposition, which drew an estimated 80,000 persons.

Labor unions are free to organize, bargain collectively, strike, and affiliate with the international bodies of their choice. In December 1980, there were 304 registered unions in Mauritius with a total of 78,417 members (it is believed that 1982 figures are similar). The labor strife that characterized Mauritius several years ago has not recurred, and the period following the June 1982 elections continues to be one of relative labor calm. The new Government's "policy of dialogue" extends to its relations with labor unions, and intensive intersectoral discussions are slated to open soon regarding amendment of the Industrial Relations Act, reinforcing labor unions' rights and responsibilities.

c. Freedom of Religion

There is no official state religion in Mauritius. Christians, Hindus, Muslims, and Buddhists openly practice and teach their own religion without prejudice. All religious institutions receive state subsidies in proportion to their number of adherents.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

There are no restrictions on movement within the country, foreign travel, emigration, or repatriation.

e. Freedom to Participate in the Political Process

Mauritius is a democracy with a parliamentary system patterned after that of Great Britain. The country is governed by a freely elected Legislative Assembly, with executive direction coming from the prime minister and his cabinet. A Governor-General, representative of the Queen of England, remains titular head of state. Political participation is open to all adult citizens. Two major alliances and other relatively minor political parties presented candidates in the June 1982 parliamentary elections. Opposition groups exist openly. The parliamentary opposition is headed by an officially designated and recognized leader.

Women in Mauritius are free to participate in all types of political, business, and social activities, and a few hold high positions. Nonetheless, the fact remains that conservative religious and ethnic attitudes inhibit women. The Government, however, is taking action in this area. In October 1980, the Legislative Assembly passed a bill abolishing most Napoleonic legal code stipulations discriminating against women, and in June 1982 a woman was named as both Minister of Justice and as Minister of Women's Affairs.

3. Government Attitudes Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

There are no known attempts by outside organizations to investigate the human rights situation in Mauritius.

4. Economic, Social, and Cultural Situation

Mauritius is a small and densely populated nation, whose mixed economy continues to be dominated by the sugar industry, despite Government attempts to diversify and expand. Measured in current dollars, per capita Gross National Product of $1080 in 1979 dropped to $1060 in 1980, reflecting the extended effect of widespread cyclone damage in 1979-1980 and the world wide economic recession. Although GNP for 1981 rose to $1340, further economic recovery since 1981 has been inhibited by growing difficulties in exporting to the increasingly saturated markets of the Western industrialized nations, Mauritius' major commercial partners.

Mauritius enjoys the standard of living (according to International Monetary Fund standards) of a middle-income developing country, with nutrition, health care, and education comparable to other countries with similar income levels. The adult literacy (over 80 percent) and life expectancy (65 years) rates, however, are higher. Basic human needs are extensively provided for through Government programs. Nonetheless, approximately 12 percent of the population still lives below the absolute poverty level.

Free medical care is generally available to all Mauritians in an expanding network of Government-owned and operated hospitals and dispensaries. The Government has actively pursued a pragmatic and successful population control policy. The population growth rate has varied between 1.3 percent (1979), 2.0 percent (1980), and 1.8 percent (1981). The standard of nutrition is generally higher than in most African countries (the available calorie supply exceeds nutritional requirements), and starvation is virtually non-existent. Nevertheless, as can be expected, the level of nutrition is generally much lower among the rural poor than among city dwellers and the more affluent sectors of Mauritian society.

Education in Mauritius up to the pre-university level has been free and available to all sectors of the population since 1977, although the general public has perceived a drop in the quality of education since that time. University education was also free until 1980, when tuition fees were reimposed as a result of increased Government deficits, primarily due to the deteriorating economic situation in Mauritius.

With free medical care and education, as well as subisidies for basic foodstuffs such as rice and flour, granted by the Government, the basic needs of Mauritians are well provided for. Nevertheless, a number of problems remain because of an essentially mono-economy, periodically damaging cyclones, deteriorating terms of trade, and a heavy level of social expenditures. Unemployment is running at 20-24 percent, with the result that higher education no longer is seen as a guarantee of upward mobility or future employment. The Government has also been limited by financial difficulties from providing adequate shelter to those made homeless by recurring cyclones. The Government housing estates lack adequate water and electricity. The new Government faces a difficult task as it seeks to extend social benefits and programs, while striving to maintain its international economic credibility and competitiveness through a strong commitment to fiscal responsibility and economic pragmatism.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: MAURITIUS	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	3.5	4.1	7.0
LOANS..............	2.7	3.3	3.3
GRANTS.............	0.8	0.8	3.7
A.AID	0.3	0.0	2.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.3	0.0	2.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	2.0
B.FOOD FOR PEACE.......	3.2	4.1	5.0
LOANS..............	2.7	3.3	3.3
GRANTS.............	0.5	0.8	1.7
TITLE I-TOTAL..........	2.7	3.3	3.3
REPAY. IN $-LOANS.....	2.7	3.3	3.3
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.5	0.8	1.7
E.RELIEF.EC.DEV & WFP.	0.5	0.8	1.7
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS.......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER.............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	3.5	4.1	7.0
LOANS..............	2.7	3.3	3.3
GRANTS.............	0.8	0.8	3.7
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1945-82
TOTAL........	12.0	40.0	6.0	198.1
IBRD	6.0	30.0	6.0	116.5
IFC	0.0	1.8	0.0	0.5
IDA	0.0	0.0	0.0	20.4
IDB	0.0	0.0	0.0	0.0
ADB	-0.0	0.0	0.0	0.0
AFDB	4.5	0.0	0.0	19.2
UNDP	1.5	0.7	0.0	11.9
OTHER-UN	0.0	0.0	0.0	1.9
EEC	0.0	7.5	0.0	17.3

MOZAMBIQUE

The People's Republic of Mozambique obtained independence from Portugal in 1975. It is governed by a small elite within the sole legal party, the Front for the Liberation of Mozambique (Frelimo), under the leadership of President Samora Machel. The party espouses Marxism-Leninism.

Mozambique is an extremely poor country with an estimated per capita annual income of less than $250, in which 85 percent of the populace is engaged in subsistence agriculture. A dearth of trained personnel, a fragile economy inherited at independence, losses suffered during the recent war in Zimbabwe, and dislocations growing out of a current internal insurgency have impeded economic development. Questionable development schemes absorbed a major portion of the country's limited resources.

The integrity of the person and private property, although guaranteed by the Constitution, is diminished due to the still weak national judicial system and the excercise of extraordinary powers by military and state security entities. The right to political participation is limited to involvement with the sole political party and programs conducted under its auspices.

The past year has seen increased disruption in the lives of the rural population in the southern and central part of the country arising out of an armed insurgency and the Government's efforts to defeat it. The insurgents have particularly targeted key infrastructure facilities, development projects, and national and international transportation links. Gradual institutionalization of the legal system appears to have reduced somewhat the incidence of arbitrary detention and confinement. There have been indications of further accommodation between the Government and organized religions.

Overall, there have been some small and erratic improvements in the human rights situation, as efforts are made to enlist formerly disaffected individuals into the Government's fight against the insurgency, and as administrative procedures employed in existing government institutions are improved. This trend is likely to continue in the short term. In the long run, however, significant achievments in human rights will probably require a major revamping of the institutions themselves, rather than tinkering with administrative procedures.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

In the context of the intensifying confrontation between insurgent and government forces, deaths among the non-combatant population have no doubt increased during 1982. There is no hard information on how many killings have actually taken place as a result of the conflict, but the total number has been estimated in the hundreds. Intimidation, including threats of death and actual executions, has credibly been attributed to the insurgents. Civilian government and party workers have been singled out for harsh treatment. In contested areas, the population is vulnerable to injury or death from both sides. Mozambican government military tribunals, created for the purpose of prosecuting "crimes against the people and state security," in 1982 administered death sentences against nine individuals found guilty of involvement with the insurgency.

The Mozambican Government charges that the Republic of South

Africa significantly supports the armed insurgency in Mozambique.

The capture in Mozambique of quantities of military equipment of South African origin, the deaths of three apparent saboteurs in possession of South African identification, testimony of captured insurgents, and other documentary materials have been cited as evidence of this involvement. In 1982 there were credible reports of at least two probes by South African military units across the border into Mozambique and of scores of overflights by South African military aircraft.

During the year a South African citizen with ties to the African National Congress and the South African Communist Party was killed by a letter bomb in her university office in the Mozambican capital.

b. Disappearance

Civil, criminal, and state security authorities are theoretically obligated to inform relatives of an individual's detention. In practice the guarantee is not always observed. There does not appear to be a systematic pattern of carrying out unannounced detentions as an instrument of intimidation or coercion. Persons confined for "reeducation" after national independence often have been sent to remote locations and their whereabouts and conditions not revealed to relatives; an unknown number of individuals perished without their relatives being notified. Recently, some efforts have been made to inform relatives of the status of long-term internees in reeducation camps. The Government, as an element of its "offensive for legality" which was initiated in late 1981 and maintained through 1982, has publicized a small number of conspicuous cases of official negligence and wrongdoing in the treatment of prisoners. The perpetrators are supposedly punished, although specific terms of such punishment are not public knowledge.

At present, at least 20 foreign citizens are held captive by the insurgents. The insurgents reportedly have pressed Mozambican citizens into joining their activities.

c. Torture

Torture is prohibited by the Mozambican Constitution. There have been no known cases of torture on the part of government agencies in 1982. It is impossible to rule out the possibility that isolated incidents of torture have occurred, but there appears to be no pattern of sanctioned or systematic use of torture. Cases of mutilation by insurgent bands to coerce and intimidate the population have been documented in Manica, Gaza, and Inhambane provinces.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Extremely spartan and often overcrowded conditions of confinement characterize the country's prisons and detention centers. These conditions probably reflect government administrative and economic limitations, rather than a calculated means to inflict punishment. At "reeducation centers," generally located in very remote parts of the country, internees are required to labor to feed and shelter themselves. Reports of the centers by journalists who have visited them describe extremely spartan conditions, often undefined periods of internment, and the presence of individuals held for political reasons.

Internees in the centers may be individuals suspected of opposition to the Government or others whose behavior is deemed "anti-social" by the authorities. It is not known whether different treatment is given to different classes of prisoners. Conditions are known to vary between camps as a result of physical differences in these installations.

e. Arbitrary Arrest and Imprisonment

A large number of individuals are confined at "reeducation centers." These isolated detention camps were established in the immediate post-independence period to hold prisoners of all types, including those accused of "counter-revolutionary" political crimes. Estimates of the number of inmates in the centers appearing in international publications in recent years range from several thousand to 10,000. Despite publicized releases of more than one thousand internees in late 1981, probably thousands remain confined in such centers.

The "offensive for legality" prescribes that prisoners in reeducation centers should enjoy full constitutional protections. The Government's Inspector General has toured camps to review the cases of inmates and the assignment of fixed sentences. While he had been widely expected to report his findings, there was no announcement that any report would be made public and to date none has been. There is no public breakdown of the types of charges lodged against those confined in the centers.

The concept of habeas corpus is recognized in Mozambican jurisprudence but is not always observed. While not specifically addressed in the body of law, preventive detention may be employed in civil and state security cases if authorities believe a violation is probable or imminent. A suspect can be held for up to 90 days before charges are brought in serious cases and for shorter periods in lesser cases. This investigative period may be extended only once for an additional 90 days if the state requires more time to prepare its case.

f. Denial of Fair Public Trial

Mozambique uses an inquisitional system of justice which invests considerable discretion and power in the hands of investigatory authorities and trial judges. In important cases, charges against an accused person are drawn up by a public prosecutor, and a defendant has the right to choose counsel or have a court-assigned defender. This right seems to be observed, although the vagueness of the definition of "important crimes" allows latitude for determining whether or not counsel is actually assured.

Judgement is rendered by the judge and four elected jurors. In lesser cases or in district courts, a judge and two jurors constitute the court. In "popular tribunals" in rural areas, chosen individuals with a minimum of a primary school education and rudimentary legal orientation are instructed to exercise "good sense and application of general principles in deciding disputes and minor offenses."

Several systems of law and detention exist in Mozambique. The civil court system, under the Ministry of Justice, apparently operates without political intrusion. The Ministry of Interior operates "reeducation centers" outside the control of the Justice Ministry. New internees may be remanded to the centers by the Justice or Interior Ministries. Those sent by the Justice Ministry probably have the benefit of some judicial safeguards. They apparently are sent to the centers rather than to ordinary prisons when their infractions are deemed "anti-social" rather than "criminal" in nature; i.e. prostitution. Those sent to the centers by the Interior Ministry, which has responsibility for some aspects of internal security, may not have had benefit of the judicial process, if the Interior Ministry had moved against them as the result of supposed "crimes against the state."

Military tribunals sit in judgement of cases involving "crimes against the people and state security." In late 1982, however, it was announced that at least one individual charged with "economic crimes" would be so tried. It is not believed that a military tribunal has yet been convened to try this individual.

Military tribunals operate in camera and are composed of military personnel, some of whom may have some legal training. The right of appeal is recognized for civil cases involving serious offenses (those carrying a sentence of eight years or more). Persons sentenced to death by military tribunals may appeal for clemency to the President of the Republic. The operation of the legal system and observance of constitutional safeguards, although possibly improving as officials gain administrative experience, remains fragile.

g. Invasion of the Home

The Constitution guarantees the sanctity of the home. In practice, judicial and security authorities exercise broad powers in authorizing warrants and administrative permission to enter private residences. Although warrantless arrests have been known to occur in past years, no cases came to light in 1982. Forced entry has occurred in cases presumed to involve state security. It is widely assumed that surveillance devices are employed in the telephone system. Other clandestine monitoring devices may be used at targeted residences and other locations.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Public opposition to government and ruling party policies is not tolerated, and open criticism of them is confined to issues of marginal significance. There is censorship of domestic and foreign books and publications through the state's monopoly of printing facilities and control over means of distribution of literature. As employees of state operated institutions of learning, academics are constrained from pursuing studies which might run counter to the accepted social philosophy. They are encouraged, through their activities, to promote the realization of "socialism" in Mozambique.

The Government owns and operates the only authorized publications in the country as it does the radio and experimental television facilities. These media actively disseminate the Government's viewpoint on issues and its general social philosophy. Reporting on individual lapses, and failures of government policies of marginal importance, is tolerated. Otherwise, journalists practice self-censorship and are susceptible to pressures exerted by the government-sanctioned association of journalists to which they belong.

The widely assumed presence of electronic surveillance and use of informers inhibit free expression.

The letter bomb assassination in the Mozambican capital of a South African citizen may have been intended to inhibit anti-South African academic and political activity as well as to silence a vocal critic of South Africa. Government and party functionaries are a particular target of insurgent groups operating in the interior of the country.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly and the right to organize are greatly circumscribed. The Government and party authorize and dominate so-called mass organizations, all professional associations, and "production councils" at industrial and commercial enterprises. Other public assembly and association is not permitted. "Production councils" are not comparable to free labor organizations but act in accordance with government and party instructions and precepts. The same is true of recognized professional associations. There is no right to strike. In 1982 there were unconfirmed reports of "slow-downs" by stevedores in the Maputo and Beira ports, which apparently were resolved through negotiation among the workers, shipping companies, and Government.

c. Freedom of Religion

There is no state religion in Mozambique. The Constitution grants individuals the right "to practice or not to practice" religion although the official government attitude has been to discourage religious activities.

In the past year the Government has allowed the Roman Catholic Church to assign an additional 27 nuns to the country to conduct humanitarian and religious work. Several priests were also allowed to enter the country. These actions were a departure from the virtual freeze on the numbers of both nuns and priests which had prevailed since independence. In addition, a high-level delegation from the Vatican visited Mozambique in 1982 for the first time since independence. Preliminary soundings reportedly have yielded agreement in principle by the Mozambican Government for a papal visit some time in the future. However, government restrictions and administrative practices continue to impede the Church's activities of conducting services, the clergy's movement among parishioners in outlying districts, and proselytizing and recruitment.

Conditions facing other organized religious groups including the significant Protestant and Islamic communities are relatively more favorable. The practice of traditional cults and ceremonies receives official criticism and ridicule but otherwise is allowed to take place. Membership in an organized religious group does not appear to confer appreciable advantage or disadvantage to an individual's secular standing. In December of 1982 the party reiterated that membership in Frelimo was open to believers and non-believers.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Travel and relocation within the country are administratively controlled by security restrictions and employment requirements under the rationale of assuring public and social order. Formal emigration by citizens is not addressed in Mozambican law. Unauthorized emigrants may be punished by incarceration or "reeducation." Expatriates who, for political, civil, or economic reasons left the country before independence are encouraged to return.

Mozambican citizenship was revoked for those who, at independence, opted for the nationality of the former colonial power. In general, the Government has responded positively to those requesting reinstatement of their Mozambican nationality. Some Mozambicans who opposed the party before independence, however, were jailed for suspected disloyalty to the new regime on their return to the country.

A 1980 agreement with Swaziland providing for the return of illegal entrants in each other's country appears to have been applied primarily toward economic refugees. It is not believed to have been invoked in 1982. Mozambique has an average of 35-50 persons with recognized refugee status in the country at any one time. An unknown number of South Africans are in Mozambique with informal status, having fled their country for alleged political and human rights infringements.

e. Freedom to Participate in the Political Process

Mozambique's only legal party, Frelimo, totally dominates legal political activity in the country. A small group of senior officials directs the party and state apparatus. Frelimo claims to have 100,000 members. Mass political involvement occurs at local, district, and provincial levels, but initiatives and directives emanate from above. Election to representative bodies is made from a single slate and affords the population the option of endorsing or rejecting candidates pre-selected by party structures. In the national popular assembly, votes endorsing government policies are invariably unanimous. All adult Mozambicans may take part in what political process exists. Women hold many positions in both the party and Government. There is no apparent exclusion from political activities due to regional, racial, or religious factors.

3. Government Attitudes Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Mozambique is not a signatory to international human rights or refugee conventions, and it has not been the subject of systematic investigations conducted by official international organizations. Amnesty International, relying upon confidential reports and public documents, has registered concerns with detention at reeducation centers without trial, political imprisonment, and the use of the death penalty. The Government has not responded publicly to these charges. In past years, the Government has allowed journalists and selected scholars to visit, under supervision, its reeducation centers.

There is a resident representative of the United Nations High Commissioner for Refugees and a chapter of the International Committee of the Red Cross. The organizations rely upon the cooperation and logistical assistance of the Mozambican Government in fulfilling their functions. Mozambique provided for numerous refugees during the Zimbabwe independence war at considerable cost.

4. Economic, Social, and Cultural Situation

Mozambique, a country of 12.6 million people, has a per capita Gross National Product of less than $250. Approximately 85 percent of the population is engaged in subsistence agriculture. Because of a series of natural disasters ranging from floods to drought, as well as an economic system that offers few incentives to peasant farmers, food production has fallen far short of domestic requirements. In an attempt to meet the population's nutritional requirements, the country has had to spend a significant portion of its meager foreign exchange earnings on imports of food. Mozambique also received sizable food aid from abroad.

The industrial sector has fared no better. Productivity has suffered from shortages of raw materials, equipment, spare parts, and trained personnel. Due to the dearth of foreign exchange, the country has been unable to ease the shortages through imports. As a result, most factories and plants operate at less than 50 percent of capacity and even key companies undergo occasional work stoppages.

The Government has adopted a socialist economic system and the number and influence of state enterprises continue to grow. The Government has implemented a policy of devolving small businesses and shops to private individuals, but the right to own property is restricted. The country has intensified its efforts to attract foreign investment, but so far has had only very limited success.

International aid donors report that their contributions are employed for the purposes for which they were allocated and not diverted for other uses. The Government has focussed primarily on improving health and human services and agricultural production. Programs and benefits are administered in a non-discriminatory fashion. There is no evidence of racism either officially or unofficially, and there are no major conflicts among the nation's ethnic groupings. Many ethnic Portuguese and Asians hold senior positions in the Government. Equality for women is guaranteed under the Constitution, and the Government has taken active steps to protect the rights of women.

Mozambique faces major developmental problems. Because reliable statistics are unavailable, it is difficult to gauge how successful the country has been in its efforts to promote social welfare. The population growth rate was estimated to be 4.0 percent per annum in 1981. Despite the difficulties encountered in feeding its people, the Government has encouraged a high population growth rate, reasoning that the present population density of 15.8 per square kilometer is too low. Medical care remains a problem. The Government has made a concerted effort to expand medical training programs and to increase the number of clinics in rural areas, but the quality of medical personnel remains low. Efforts are also hampered by a shortage of medical supplies. These difficulties of delivering health services to rural areas are aggravated by the unrest in much of the countryside as a result of the insurgency.

There is a large discrepancy between the quality of medical care offered in major cities and in rural areas. For example, the infant mortality rate now averages about 115 per 1,000 live births nationwide but varies from a low of 35 per 1,000 in sections of the capital to a high of 190 per 1,000 in certain rural areas. Currently, life expectancy at birth is approximately 47 years.

The Government has also encountered difficulties in other areas of public health. An inoculation program has had some success, but malnutrition remains a problem. At least 30 percent of Mozambican children under the age of 12 suffer from undernourishment or malnutrition. Malnutrition so debilitates children's resistance to disease that an many as 40 percent of all deaths in Mozambique occur among children under the age of five. Fewer than 10 percent of the population has access to safe water supplies. In the past few years, outbreaks of cholera have occured even in Mozambique's two largest cities, Maputo and Beira.

Mozambique has continued to make some gains in education. The Government has emphasized teacher training programs, particularly in rural areas. Many teacher training centers, however, lack adequate facilities and are grossly understaffed. As a result, although there are now more schools and more teachers in rural areas, the quality of instruction available is low.

The Government estimates that 50-60 percent of the primary school population is enrolled in school. This figure can be misleading both because of the poor quality of the schools and because many primary school enrollees are in fact older students or even adults. Similarly, the literacy rate has risen as a result of government programs and now reportdly stands at 15-20 percent, but this statistic includes many people who can do little more than read and write their own names. Despite the Government's efforts to allocate its limited resources in as egalitarian a fashion as possible, there are still large differences between the quality of services offered in rural and urban areas.

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U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
            (U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: MOZAMBIQUE
                                  1980      1981      1982
--------------------------------------------------------------

I.ECON. ASSIST.-TOTAL...          18.9       8.7       0.6
     LOANS..............           9.0       4.8       0.0
     GRANTS.............           9.9       3.9       0.6
 A.AID .................           0.0       0.0       0.0
     LOANS..............           0.0       0.0       0.0
     GRANTS.............           0.0       0.0       0.0
   (SEC.SUPP.ASSIST.)...           0.0       0.0       0.0
 B.FOOD FOR PEACE.......          18.9       8.7       0.6
     LOANS..............           9.0       4.8       0.0
     GRANTS.............           9.9       3.9       0.6
 TITLE I-TOTAL..........           9.0       4.8       0.0
  REPAY. IN $-LOANS.....           9.0       4.8       0.0
  PAY. IN FOR. CURR.....           0.0       0.0       0.0
 TITLE II-TOTAL.........           9.9       3.9       0.6
  E.RELIEF.EC.DEV & WFP.           9.9       3.9       0.6
  VOL.RELIEF AGENCY.....           0.0       0.0       0.0
 C.OTHER ECON. ASSIST...           0.0       0.0       0.0
     LOANS..............           0.0       0.0       0.0
     GRANTS.............           0.0       0.0       0.0
       PEACE CORPS......           0.0       0.0       0.0
       NARCOTICS........           0.0       0.0       0.0
       OTHER............           0.0       0.0       0.0

II.MIL. ASSIST.-TOTAL...           0.0       0.0       0.0
     LOANS..............           0.0       0.0       0.0
     GRANTS.............           0.0       0.0       0.0
  A.MAP GRANTS..........           0.0       0.0       0.0
  B.CREDIT SALES-FMS....           0.0       0.0       0.0
  C.INTL MIL.ED.TRNG....           0.0       0.0       0.0
  D.TRAN-EXCESS STOCK...           0.0       0.0       0.0
  E.OTHER GRANTS........           0.0       0.0       0.0

III.TOTAL ECON. & MIL...          18.9       8.7       0.6
     LOANS..............           9.0       4.8       0.0
     GRANTS.............           9.9       3.9       0.6
--------------------------------------------------------------
OTHER US LOANS..........          14.8       0.0       0.0
 EX-IM BANK LOANS.......          14.8       0.0       0.0
 ALL OTHER..............           0.0       0.0       0.0
--------------------------------------------------------------
ASSISTANCE FROM INTERNATIONAL AGENCIES
                   1980      1981      1982      1946-82
-------------------------------------------------------------
TOTAL........      13.8      30.5      23.2      97.2
IBRD                0.0       0.0       0.0       0.0
IFC                 0.0       0.0       0.0       0.0
IDA                 0.0       0.0       0.0       0.0
IDB                 0.0       0.0       0.0       0.0
ADB                 0.0       0.0       0.0       0.0
AFDB                9.7      20.5      23.2      71.7
UNDP                2.7       5.4       0.0      15.4
OTHER-UN            1.4       4.6       0.0      10.1
EEC                 0.0       0.0       0.0       0.0
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NIGER

Niger is governed by an authoritarian military regime with power concentrated in the hands of the President and Head of the Supreme Military Council, Colonel Seyni Kountche. He took power in 1974 from a civilian government which had lost credibility because of widespread corruption. He rules by decree, and the freedoms of expression, assembly, and political activity remain restricted.

The Kountche Government has taken steps in the past year to widen its basis of support through the proposed creation of a hierarchical network of councils linking all segments of society. The Government plans that, through this network, grass roots concerns will be communicated to the President, and government policies and programs will be communicated to the people. Once a national development council is established, it is to become a constituent assembly with a mandate to present a draft constitution for national consideration.

The state of human rights in Niger is mixed. Civil and political rights are circumscribed. There are a few political prisoners, but the Government does not engage in assaults against the integrity of the person.

Aside from the slight move already noted in the direction of greater public participation in the political process, there has been no significant change in the state of human rights in Niger in the past year. In the short term, the human rights situation could worsen if the Government decided to react to renewed efforts of destabilization launched openly or covertly by neighboring Libya. Over the longer term, however, the human rights situation in Niger could improve if the Kountche Government were to implement return to constitutional rule.

The Goverment of Niger faces a strong and persistent threat from Libyan aggression. Qadhafi has reportedly stated that Niger would be his next conquest after Chad. Libya is believed to have backed an assassination attempt against the Nigerien president in August 1981. Libya broadcasts anti-government radio propaganda directed at the largely Tuareg population of northern Niger. In April 1982 a group of Tuaregs, reportedly trained in Libya, were captured and admitted they had planned to sabotage the uranium mines and take hostages. The most recent incident involving Libya occurred in August 1982 during the Islamic Conference in Niamey. Nigerien security officials, alarmed at the size of the Libya delegation (forty strong where other delegations were about ten) demanded to search the delegates luggage. The Libyans refused and departed before the Conference convened. This touched off further Libyan verbal assaults on Niger and exhortations that the Nigerien Government must be overthrown. This unremitting tension contributes to the security preoccupation of the Nigerien Government and limits its toleration of dissent within Niger.

Niger is a large, landlocked, and sparsely populated country in the arid Sahel region of West Africa. Four major ethnic groups, each with its own language, make up the bulk of the population. Islam is the predominant religion. One of the world's least developed nations, Niger's economy is based on subsistence agriculture, livestock, and a few cash crops.

Erratic rainfall levels cause wide variations in food production, and in the drought years of the early Seventies massive emergency food imports were necessary to avoid wide-scale starvation. Since then improvements in the agricultural and livestock sectors have brought Niger to the point where it is marginally self-sufficient in food production when rainfall is adequate. In the late Seventies the economy also benefited from the exploitation of the nation's extensive uranium reserves. In the early Eighties, however, world uranium prices and demand declined sharply and Niger is again highly dependent on the agricultural sector.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no reports of killing for political purposes either by the Government or by terrorist groups. The military and police are regarded as disciplined and unlikely to engage in excesses.

b. Disappearance

There were no reports nor indications of disappearances in Niger in 1982, nor is it believed to occur.

c. Torture

There were no reports of the use of torture in Niger in 1982, nor is torture believed to occur.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

There are no reports of such treatment or punishment in Niger under the current government, nor of summary execution. Prisons are over-crowded and facilities are generally inadequate, but this is a reflection of the economy of the country and of the government's scarce financial and human resources.

e. Arbitrary Arrest and Imprisonment

It is estimated that less than 20 political prisoners are being held in Niger. Former President Hamani Diori remains under house arrest in Niamey, and some former members of his administration, as well as opposition leader Djibo Bakary and other members of the banned Sawaba (freedom) Party, remain in detention. With the Constitution suspended, there is no specific statutory protection against arbitrary arrest or imprisonment, nor does habeas corpus exist.

Instances of arrest and imprisonment without due process are rare, however, as are cases of preventive detention. Preventive detention, when it occurs, varies in duration but is usually short-term. The law provides for a suspect to be charged within 48 hours, but slight delays in processing suspects often occur as the result of a lack of trained legal officials.

f. Denial of Fair Public Trial

The right to a public trial is observed for civil and criminal cases not involving political acts. Legal counsel is provided for indigent defendants accused of felonies or other major offenses if they are under 18 years of age, handicapped, or faced with a possible sentence of 10 years or more. Formal charges are usually made within a week of arrest. There is no evidence that courts are subject to political influence or pressure in ordinary criminal cases against the state. Cases involving political acts, such as those of the plotters executed in connection with an attempted coup in 1976, are handled by a specially designated state security court. Security trials are held in secret and little is known of them. It is generally supposed that security courts reviewed the sentences of those persons currently held in detention, but there is no available information about rules or procedures followed or if defendants are entitled to counsel. There are no military courts; civilian justice applies to all. Defendants may appeal verdicts first to an appellate court and if desired, to the nation's highest tribunal, the state court. The state court, however, decides only on the legality of lower court decisions, not the decisions themselves. The President has the right of pardon in penal cases.

g. Invasion of the Home

The police have the right to enter homes between 5:00 a.m. and 9:00 p.m. but will enter at other times if they believe they have sufficient cause. No court warrants are required. There have been no reports of forced entry and none of public security forces engaging in other violations of the home.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These freedoms are restricted in Niger. Dissent is rarely voiced; the institutions which might promote dissent, a legislature or privately-controlled media, do not exist. There are no evident organized opposition groups either inside or outside Niger. Some minor criticism of government actions occurs in the government-controlled vernacular press. Individual citizens also have the opportunity to question senior government officials at public meetings held about twice monthly in the capital. Foreign films are subject to censorship, with bans imposed on the basis of public moral standards. There have been no recent reports of banned books or periodicals, but the Government is under no restraint should it discover material it deems offensive. Academic freedom generally has existed since independence, except in the domain of national politics. The Government effectively controls the press, radio, and television through outright ownership and policy guidance. The main function of these media is to communicate government policies and engender public support for them as well as the government leadership. There have been no reports of journalists being intimidated, harassed, or arrested. Journalists know the parameters within which they must operate as government employees and to that extent practice self-censorship.

b. Freedom of Peaceful Assembly and Association

Some forms of voluntary association and expression, such as trade unions, churches, and other religious groups function freely with the understanding that they remain non-political and support government policy. The trade union movement is at a rudimentary level, but it is regarded as fairly democratic. Most salaried workers belong to a union, and meetings occur often. Unions have the right to organize, negotiate, and strike. The Government tolerates unions but does not give them strong suppport. As a result, unions are ill-financed and relatively weak. Nonetheless, in 1982 a strike at a uranium mine and a student strike were both successful. Unions maintain relations with recognized international bodies in their fields.

c. Freedom of Religion

Niger is over 90 percent Muslim, but Christian churches operate and are given free access to Niger's radio service to broadcast weekly religious programs. Several Christians hold high government positions. Conversion from one religion to another is permitted but is very rare in practice. There have been no reports of outright discrimination against minority religions, but adherence to Islam very likely gives a slight advantage in civil, economic, political, military, and secular status.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There are no restrictions on movement within Niger. Nigeriens wishing to travel abroad or emigrate must obtain exit visas, which are granted routinely without discrimination. The repatriation of Nigerien nationals is unrestricted. A small number of refugees from other countries have been accepted.

e. Freedom to Participate in the Political Process

Freedom to participate in the political process is limited by the nature of the political system. Niger is an authoritarian military regime with most power concentrated in the hands of President Seyni Kountche, the Head of the Supreme Military Council. The Council is composed of the army officers who organized the 1974 coup which brought Kountche to power. Some of the members of the Council serve as ministers or governors of Niger's seven departments. Other members of the 18-man cabinet are civilian technocrats, including most of those directly concerned with economic development.

The Government is in the process of organizing a "Development Society" that would involve Nigeriens at all levels in economic and social development decision-making by providing channels for grass-root concerns to be brought to the attention of national political leaders. This "Society" consists of representitive councils at local, regional and national levels. At the base of this hierachy are local socio-professional membership groups, some of which already exist and some of which are being formed. These include local labor groups, women's groups, merchant groups, agricultural cooperatives, traditional youth groups, and other special interest associations. These groups will send representatives to a village council which will send representatives to a sub-regional council, and so on. The National Development Council, which will be at the pinnacle of this hierarchy, is targeted for formation in April 1983. Its charge, President Kountche has said, will be to develop a new Constitution for Niger to replace the one suspended in 1974. The Government sees this process as a strategy for mobilizing the populace for development goals but not as a forerunner of a return to civilian politics. Political parties remain suspended.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Niger is not an active participant in international and regional human rights bodies. The Government has not been the subject of resolutions, investigations, or other human rights actions by official international organizations. Amnesty International reported in 1981 that it had appealed to the Nigerien Government to bring to trial or release political detainees but that no response was received. There are no reports of visits by non-governmental human rights groups. There are no government or private organizations in the country which attempt to protect individual liberties.

4. Economic, Social, and Cultural Situation

Niger is one of the world's poorest countries. Most of the population of 5,419,000 (1981 est.) live at a subsistence level. Gross national product per capita was $331 for 1980. Other social indicators are also low. The adult literacy rate is 8 percent. Infant mortality is 146 deaths for 1,000 live births. Life expectancy is 48 years. On the average, Nigeriens receive 91 percent of daily nutritional requirements.

Given these conditions, the Government has made economic development its top priority. The bulk of funds derived from the uranium boom of the late Seventies was channeled into projects in health, agricultural, and rural development. Foreign assistance has largely gone to these sectors. Substantial progress resulted from these efforts. Economic growth rates in the late Seventies kept well ahead of the population growth rate of 2.9 percent. Nevertheless, the current and future economic prospects for Niger are decidedly clouded. Uranium revenues have declined substantially as world demand and prices tumbled in the early Eighties. No improvement in uranium prices is expected, and Niger has no other easily exploitable, known mineral resource. As a result, the Government has cut back economic develpment programs to a fraction of their former size. The one bright spot is that continuing improvements in the agricultural sector make it possible for Niger to approach food self-sufficiency when rainfall is good.

The Government has indicated that it is determined to weather the difficulties ahead through a program of belt-tightening, more efficient management, effective use of foreign assistance, and increased efforts to exploit Niger's mineral reserves. The burden of these measures is to be distributed fairly evenly among all parts of the population, just as the benefits of the uranium boom were fairly evently distributed.

Niger's social and cultural situation has mixed effects on human rights. The bulk of the population lives much as it has for centuries. The low literacy and educational levels have made it difficult for modern forms of political thought and organization to take root. The essentially traditional nature of society helps ensure that family and ethnic group ties remain strong and supportive, but traditional attitudes limit movement towards modernization of the country. The Tuareg group (approximately 12 percent of the population) remains unconvinced of the value of formal education, particularly for females. Women throughout the population traditionally have not enjoyed equal rights or opportunities. Male children still have a far better chance of being educated, and they possess substantially greater property rights. In case of divorce, custody of all children under eight years of age is given to the husband. Nonetheless, improvements in the status of women are being made. Some women have been promoted to management positions within the administration; and the Government sponsors and supports the Nigerien Women's Association. An Office of Women's Affairs exists in the Ministry of Youth, Sports, and Culture. In addition, significant media attention is given to successful women in non-traditional careers.

The Government has made a considerable effort to ensure that benefits of economic development are fairly distributed throughout the population. The largest ethnic group, the Hausa, dominates commerce while the second largest group, the Djerma, dominates the Government. The nomadic Tuaregs have traditionally lived apart from central government authority, but this is gradually changing as the Tuaregs begin to see benefits from government programs. The Government of Niger is very conscious of the need to preserve ethnic harmony, play down ethnic differences, and work for the equal application of justice. As a result of this deliberate policy, ethnic tensions are currently low.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: NIGER

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	12.7	17.5	17.8
LOANS..............	0.0	0.0	0.0
GRANTS.............	12.7	17.5	17.8
A.AID	9.5	13.7	13.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	9.5	13.7	13.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	1.0	1.4	2.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	1.0	1.4	2.1
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	1.0	1.4	2.1
E.RELIEF.EC.DEV & WFP.	1.0	1.4	2.1
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	2.2	2.4	2.7
LOANS..............	0.0	0.0	0.0
GRANTS.............	2.2	2.4	2.7
PEACE CORPS......	2.2	2.4	2.7
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	2.5	2.4
LOANS..............	0.0	2.3	2.0
GRANTS.............	0.0	0.2	0.4
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	2.3	2.0
C.INTL MIL.ED.TRNG....	0.0	0.2	0.4
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	12.7	20.0	20.2
LOANS..............	0.0	2.3	2.0
GRANTS.............	12.7	17.7	18.2
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	48.0	3.0	27.2	339.4
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	2.6	2.6
IDA	36.7	0.0	0.0	133.4
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.8	0.0	14.6	28.5
UNDP	2.0	3.0	0.0	32.7
OTHER-UN	4.0	0.0	0.0	9.9
EEC	4.5	0.0	10.0	127.3

NIGERIA

With an estimated population of 80 to 85 million, Nigeria is the largest democracy in sub-Saharan Africa. Nigeria achieved independence in 1960. Its traditions and institutions were influenced by British governmental and legal practice. In 1979 Nigeria adopted a federal constitution modelled after the Constitution of the United States. In accordance with the new Constitution a civilian Government, with a president and bicameral national assembly, was democratically elected and installed in 1979. The military voluntarily relinquished political power after ruling Nigeria for over 13 years. The new civilian Government was originally formed by a formal coalition of two parties, but that alliance dissolved, and the present Administration endures with the formal support of just the National Party of Nigeria. Opposition parties operate freely, and members of the National Assembly cross party lines to support and oppose bills. The press is free, lively, and energetic, and usually reflects partisan regional and local interests. Reconciliation from the 1966-70 civil war appears complete. Former Biafran leader Ojukwu was pardoned and returned from exile in 1982.

Economically Nigeria has a long tradition of free wheeling "traders" from the days when commerce came across the desert. In the 1970's Nigeria's vigorous free enterprise system was fuelled by an oil boom, but the current oil glut has deflated the economy and forced the Government to implement an austerity program. While Nigeria has been aided by the oil revenues, the country remains very much a developing country, with problems of poverty, illiteracy, and lack of infrastructure. Because of its energy resources, however, Nigeria has promising long-term economic prospects.

Political and civil rights are respected in Nigeria. While there are instances of abuse, they are the acts of individuals and are not instigated or condoned by the Nigerian or state governments. The Nigerian Constitution contains a list of fundamental rights which are generally honored. In 1982 Nigeria signed and ratified the Organization for African Unity's Charter on Human and People's Rights.

There have been no major changes in the human rights situation in Nigeria during 1982.

The scheduled July-August 1983 elections, and the campaigns before them, will be a major test for democracy and human rights in Nigeria. The present civilian Government was elected and installed democratically, but under the supervision of the predecessor military regime. The 1983 elections will be the first under full civilian control since the new Constitution came into effect.

1. Respect for Integrity of the Person, Including Freedom from:

a. Killing

There is no pattern of premeditated political murder in Nigeria, and no allegation of complicity by the Nigerian authorities in such acts. Deaths sometimes occur in instances of rioting and violence which are partly political or which take on a political cast after beginning, but such incidents are rare and usually occur in remote areas. The Nigerian army and police are equipped and able to cope with such outbreaks of violence. The agency with primary responsibility for political internal security, the National Security Organization, is competent, disciplined, and has a record of respecting human rights. While there has not been any international terrorist activity in Nigeria in 1982, religious riots broke out between traditional Muslims and a fanatical Muslim sect during the last week in October at Maiduguri and Kaduna in northern Nigeria which, according to a government announcement, resulted in 206 deaths. The leader of the sect, Muhammadu Marwa, known as the Maitatsine, was killed in riots at Kano in 1980. The sect claims that Marwa is the true Prophet of Islam and that the name of Mohammed should not be mentioned -- a message which is provocative to Orthodox Muslims. Its members allegedly believe they have a duty to kill those who disagree with them and supposedly do not fear death. Following restoration of order by the Nigerian police, several investigations were conducted regarding the causes of the riots. The Nigerian Government charged that the sect violated criminal laws, and later proscribed the Maitatsine movement as an illegal society in Nigeria. The authorities noted that freedom of religion and worship is subject to public safety, public order, and public morality, as well as the rights and freedom of other persons.

b. Disappearance

There may have been one case in which a man active in politics was kidnapped in 1982, but the circumstances have not yet been clarified. Political kidnapping is not practiced in Nigeria, and there are no allegations that any Nigerian authorities have ever been involved in such activity. No prisoners are known to be secretly detained by the Nigerian authorities.

c. Torture

The Nigerian Constitution specifically prohibits torture. The Nigerian Government and authorities do not permit or condone torture, and robbers convicted of physically abusing their victims are dealt with severely. There are indications that some police officers mistreat suspects in the course of interrogation, but this is not condoned by their superiors. There has been no publicity about disciplining police for such abuses.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The Nigerian Constitution and Government do not permit or condone the mistreatment of individuals. However, there are some allegations of the mistreatment of prisoners in Nigeria's overcrowded and inadequate prisons. This has been due to lack of adequate funding for prisons -- a situation which is addressed in part in Nigeria's FY 1983 budget. Prisoners are not given discriminatory treatment according to race or religion, but are separated according to the nature of their crime. Ironically maximum security facilities are sometimes less uncomfortable than others in that they are less crowded. The conditions in women's prisons are believed to be less severe than in men's institutions. Within Nigerian society, there are widespread reports of the police and other authorities extorting money from the public, usually but not always in small amounts. Rarely do these "shakedowns" involve physical abuse, but that sometimes happens. Some Nigerians have been wounded by police at road checkpoints, and some of these woundings probably arose out of extortion efforts. Corruption by police officials is a recognized widespread and serious problem in Nigeria, and one which the Government seeks to eradicate.

e. Arbitrary Arrest and Imprisonment

There are no clandestine or preventive detentions in Nigeria. Nigerian law is based on British common law, and affords the common law protections including habeas corpus. By law a suspect cannot be held for more than 24 hours without being formally charged. This provision is generally observed.

f. Denial of Fair Public Trial

Guarantees of a fair trial within a reasonable time, notification of the charges, access to legal counsel, and similar protections are provided for in the Constitution. Trials in Nigeria are fair and public, and the judiciary has a high level of integrity in the courts operating under Nigerian law. There is less certainty about the treatment accorded individuals under some of the "customary law" procedures based usually in the countryside on Islamic or tribal traditions, but even in those courts the individual has recourse to the Nigerian law courts to appeal any injustice. There were no reports in 1982 of any incidents of harassment of the judiciary or defense counsel by the Nigerian authorities, and judges are able to render decisions unpopular with the Government. For example, the courts found in favor of an opposition politician in a major case in which the Government sought to deport him as an alien. Civilians are not tried by military courts, nor are there any special courts to deal with political or security cases. Counsel for the indigent is provided by the Government in capital cases. For other cases there is a legal aid society, but its resources and activities are very limited.

g. Invasion of the Home

The Constitution guarantees "the privacy of citizens, their homes, correspondence, telephone conversations, and telegraphic communications...". Judicial warrants issued by a magistrate are required for the authorities to enter a home without the permission of the inhabitants. There have been no reported instances of forced entry, violations of the home, or wiretapping during the past year.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Constitution guarantees freedom of expression and the press, and there is no censorship in Nigeria. There is an extensive and energetic press, spread throughout the country. Some of the newspapers and magazines are owned by the federal and state governments, but they and the privately-owned papers and publications are free to criticize the Government and do so. All TV and radio broadcast organizations are owned by the federal and state governments and they also report stories unfavorable to the governments, but in a more restrained style than the free-wheeling press. Academic freedom exists in Nigeria in the British academic tradition, and there is no censorship of domestic or foreign books and artistic works.

b. Freedom of Peaceful Assembly and Association

The rights to peaceful assembly are guaranteed by the Constitution. There is no indication of government harassment of professionals or labor groups. Trade unions and professional associations operate freely, and the unions enjoy full rights to organize and bargain collectively. In theory workers in essential service industries are prohibited from striking, but in practice all unions seem free to resort to work stoppages and slowdowns in industrial disputes.

About 10 percent of the work force is unionized in the country's 42 national unions, which were grouped by the previous military government into one central labor organization, the Nigeria Labor Congress. The Congress is precluded from joining with any political party, and at present the labor movement stays out of Nigerian politics. Internationally the Nigeria Labor Congress belongs to the Organization of African Trade Union Unity. Nigeria belongs to the International Labor Organization, but the Congress is not at present allowed to join the World Federation of Trade Unions or International Confederation of Free Trade Unions on the grounds that the military government and its successor civilian government have wanted to keep the Nigerian labor movement free of East-West competition. However, various unions have informal "fraternal" contacts outside Africa, and the World Federation of Trade Unions has awarded scholarships to Nigerian trade unionists for training abroad. The present Nigeria Labor Congress leadership is dominated by leaders with World Federation sympathies, and there has been an effort to obtain legislation or a legal interpretation to permit a second, international labor center.

c. Freedom of Religion

The population of Nigeria is estimated to be 47 percent Moslem and 34 percent Christian, the rest being adherents of local religions. The Constitution precludes a state religion and guarantees freedom of thought, conscience, and religion, including freedom to change belief. Nigerians are free to practice the religion of their choice. No religious groups are discriminated against or favored. There are no restrictions on religious practice, ceremony, or teaching, although some traditional secret societies are banned. There is considerable harmony between Christians and Muslims. The worst religious tensions in the past year have been between groups within the Muslim community, which resulted in some deaths in northern Nigeria. A fanatical Muslim sect was proscribed by the Government following violent clashes with the police in October 1982. (See also Section 1(a) of this report).

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution guarantees freedom of movement, and Nigerians enjoy complete freedom of movement within their country. Any Nigerian may live anywhere in the country. There is no exit visa requirement for foreign travel. Married women, however, generally need their husbands' consent to obtain a passport. Emigration is unrestricted (except through currency controls), and Nigerians residing abroad are welcomed back. Citizenship is defined in the Constitution. It can only be revoked by due process. There are cases in which the authorities ruled that certain individuals who considered themselves Nigerians had in fact never acquired Nigerian citizenship because of parentage, place of birth, or other reasons. Nigeria has not historically had to harbor refugees from outside Nigeria, but during 1982 it accepted and cared for several thousand refugees from war-torn Chad. While those refugees are expected to return to Chad, the Nigerian Government has not yet put them under pressure to leave.

e. Freedom to Participate in the Political Process

The Federal Republic of Nigeria is governed by a democratically elected government. In addition to the president and vice president, all 95 senators and 449 representatives are elected, as are the governors and legislators in the nineteen constituent states. All legislative bodies include members of opposition parties, who participate vigorously in the democratic process. On the federal level, the ruling National Party of Nigeria lacks a majority in the National Assembly, and it is dependent on some opposition support to pass legislation. There are at present six recognized political parties, and any party wishing to contest elections must be registered and approved by the Federal Elections Commission. To obtain such approval, an applicant party must show support throughout the country. This requirement is intended to prevent tribal politics, which have had adverse consequences for the nation in the past. However, the registration process has been fraught with problems and has provoked a number of court actions.

All citizens 18 years of age or older are allowed and encouraged to vote. About 34 percent of registered voters participated in the 1979 elections. Opposition groups exist openly and the system encourages their active participation.

Women in Nigeria are entitled to all rights guaranteed under the Nigerian Constitution and can challenge any person or institution which attempts to interfere with the exercise of these rights (See section 4). Under statutory and customary law as well as custom, however, they do not enjoy the status of men in many areas.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Nigeria has been a leader in efforts to emphasize human rights in Africa, and has spoken out about violations in other countries. In August a delegation of the Nigerian wing of the Inter-Parliamentary Union visited Ghana in connection with the human rights situation there. Nigeria signed and has ratified the OAU African Charter on Human and People's Rights, and expects to play an active role in its implementation. There have been no recent requests by an international or non-governmental organization to investigate any human rights problems in Nigeria. Amnesty International maintains an office in Lagos and the Nigerian Bar Association has a human rights committee to monitor implementation of the human rights provisions of the Constitution. Amnesty International did not include a section on Nigeria in its 1982 Report. Freedom House characterizes Nigeria as "Free".

4. Economic, Social, and Cultural Situation

Nigeria has a free market economy, one in which property rights are respected and guaranteed. The Government plays a major role in important sectors of the economy, but there is also a strong market orientation. Many entrepreneurs of modest origins have succeeded in business, and some have acquired considerable wealth. There are indigenization laws which reserve some business areas for Nigerians and which require foreign firms to maintain specified levels of Nigerian participation.

The major change in the nation's economic life during the past year has been the need to adjust to declining oil income. The austerity program set in place in April 1982 has forced suspension and postponement of some of the Government's ambitious economic development programs. While the Government does not discriminate and seeks to eliminate economic and social discrimination, there is ethnic and religious prejudice in Nigeria's large, diverse, and complex population, and those prejudices have economic consequences. An unmarried woman who is 21 or above has the legal capacity to sue and be sued, to buy and sell property, to engage in business or a profession, and to choose her own residence. However, a married woman cannot own property or enter into loan or purchase agreements without the consent of her husband, nor can she obtain a passport or travel outside the country without her husband's consent.

Further examples of discrimination against women include an absence under customary law of rights to her husband's property or income, apart from the right to support, and limitations on the right of divorced women to remarry. There is no law against a married woman working but, except in government service, there is no guarantee of equal pay for equal work. Traditional education for women is limited to homemaking skills. No statistics are currently available on the degree of participation of women in business or the professions, although there are significant numbers in law and medicine. Almost all marketing in southern Nigeria is controlled by women, who often belong to politically powerful market women's associations. Most of the states have at least one woman in their houses of assembly and cabinets. There are three women in the House of Representatives, a cabinet minister, and a minister of state. No statistics on numbers of women in civil service are available, although they seem to be employed generally at lower levels. The federal and state governments and women's groups, such as the National Council of Women, are actively working on women's problems and rights.

The most visible economic hardship in Nigeria is found in the urban slums. Nigeria is experiencing the classic developing country movement of people from the rural areas to the cities, particularly Lagos, where the inadequate infrastructure of water, electricity, housing, etc. has been overwhelmed. Poor urban dwellers face high unemployment, squalid living conditions, inflationary rising costs, and serious crime, but few return to the rural areas.

The World Bank statistical indicators for Nigeria show progress, although imprecise population statistics increase the margin for error. For 1981 the World Bank estimates a population of 79,526,000, compared to estimates by US experts of 85 million, and the 100 million estimate widely accepted in Nigeria. According to 1980 figures, life expectancy at birth is 48.6 years and infant mortality is down to 135.1 per thousand live births (a figure considered inaccurately low by rural medical workers). The primary school enrollment in World Bank 1977 statistics was 79 percent, double from a decade earlier. Adult literacy no doubt lags, but it probably is higher than the 25 percent World Bank figure of 1970. According to 1977 World Bank figures, the average Nigerian receives 83 percent of daily nutritional requirements, but there is virtually no starvation in Nigeria and people generally appear adequately fed.

Nevertheless, as in most developing societies, there is probably considerable malnutrition in Nigeria, although difficult to document accurately. The World Bank's estimate of 1981 per capita GNP of $1,009 can be misleading as oil exports account for so much of the country's current wealth and a large part of the rural population is only marginally involved in the country's cash economy. Nonetheless, whatever Nigeria's actual per capita GNP may be, it is clearly well above the African average.

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U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
              (U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: NIGERIA
                                       1980      1981      1982
---------------------------------------------------------------

I.ECON. ASSIST.-TOTAL...                0.0       0.0       0.0
     LOANS..............                0.0       0.0       0.0
     GRANTS.............                0.0       0.0       0.0
  A.AID ................                0.0       0.0       0.0
     LOANS..............                0.0       0.0       0.0
     GRANTS.............                0.0       0.0       0.0
    (SEC.SUPP.ASSIST.)...               0.0       0.0       0.0
  B.FOOD FOR PEACE.......               0.0       0.0       0.0
     LOANS..............                0.0       0.0       0.0
     GRANTS.............                0.0       0.0       0.0
   TITLE I-TOTAL.........               0.0       0.0       0.0
    REPAY. IN $-LOANS.....              0.0       0.0       0.0
    PAY. IN FOR. CURR.....              0.0       0.0       0.0
   TITLE II-TOTAL........               0.0       0.0       0.0
    E.RELIEF.EC.DEV & WFP.              0.0       0.0       0.0
    VOL.RELIEF AGENCY.....              0.0       0.0       0.0
  C.OTHER ECON. ASSIST...               0.0       0.0       0.0
     LOANS..............                0.0       0.0       0.0
     GRANTS.............                0.0       0.0       0.0
       PEACE CORPS......                0.0       0.0       0.0
       NARCOTICS........                0.0       0.0       0.0
       OTHER............                0.0       0.0       0.0

II.MIL. ASSIST.-TOTAL...                0.0       0.0       0.0
     LOANS..............                0.0       0.0       0.0
     GRANTS.............                0.0       0.0       0.0
  A.MAP GRANTS..........                0.0       0.0       0.0
  B.CREDIT SALES-FMS....                0.0       0.0       0.0
  C.INTL MIL.ED.TRNG....                0.0       0.0       0.0
  D.TRAN-EXCESS STOCK...                0.0       0.0       0.0
  E.OTHER GRANTS........                0.0       0.0       0.0

III.TOTAL ECON. & MIL...                0.0       0.0       0.0
     LOANS..............                0.0       0.0       0.0
     GRANTS.............                0.0       0.0       0.0
---------------------------------------------------------------
OTHER US LOANS..........                3.1     312.4      52.1
 EX-IM BANK LOANS.......                8.1     312.4      52.1
 ALL OTHER..............                0.0       0.0       0.0
---------------------------------------------------------------
ASSISTANCE FROM INTERNATIONAL AGENCIES
                   1980      1981      1982     1946-82
--------------------------------------------------------------
TOTAL.........    245.4     435.7     247.0     2217.6
IBRD              233.3     388.0     247.0     1975.9
IFC                 6.9       9.7       0.0       22.3
IDA                 0.0       0.0       0.0       39.9
IDB                 0.0       0.0       0.0        0.0
ADB                 0.0       0.0       0.0        0.0
AFDB                0.0       0.0       0.0        9.6
UNDP                5.2       2.8       0.0       83.6
OTHER-UN            0.0      10.2       0.0       36.5
EEC                 0.0      25.0       0.0       50.0
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RWANDA

Rwanda, overpopulated and poor, is a one-party state under the leadership of President Juvenal Habyarimana who is also the founder and president of the National Revolutionary Movement for Development. Guided by the precepts of the movement, Government policy is set by the President in consultation with the party central committee, the Council of Government, composed of 16 cabinet ministers appointed by the President, and the National Development Council, a parliamentary body inaugurated in 1982 with substantive but limited power.

Rwanda's traditional feudal society, dominated by the Tutsi ethnic group (14 percent of the population), was transformed in 1959 by a revolution of the majority Hutu group (85 percent of the population) into a society with a stronger emphasis on individual rights. An ethnic majority Government confirmed these internal changes at independence in 1962. During the next decade, Hutu efforts to redress the social, economic, and educational imbalance which had developed under the Tutsi monarchy led to division, corruption, and sporadic ethnic strife. This situation culminated in a coup d'etat in 1973 in which President Habyarimana took power. His Government seeks national unity and full participation of all ethnic groups in national life through a quota system aimed at assuring a fair distribution of jobs, education, and advancement opportunities.

Human rights, including those relating to the integrity of the person and civil liberties, are generally honored in Rwanda in practice as well as principle. The preamble of the 1978 Constitution states the concern of the Rwandan people "to assure protection of the person and to promote respect of fundamental liberties conforming to the Universal Declaration of Human Rights." This generally conforms to the practice. The Constitution further enumerates a list of protected rights.

In 1982 the Rwandan human rights situation was not marked by any dramatic developments, but the inauguration of a legislative assembly was an encouraging basic step toward broader political participation. The Government indicated its continuing interest in working toward prison reform, respect for individual rights, protecting security without brutality, strengthening the independence of the judiciary, and pursuing a rurally-oriented development policy designed to improve the life of the country's poorest people. Deficiencies continued to exist in the application of justice, the occasional high-handed treatment of refugees and foreigners, and the inferior status of women.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

No instances of killing for political motives have come to light in Rwanda during 1982.

b. Disappearance

Unexplained disappearances have not occurred in recent years. Arrests are made openly. A few high officials of the previous regime have not been accounted for since their imprisonment in 1973. These cases have received little publicity.

c. Torture

While torture is not specifically proscribed by law, the Constitution states, "the human person is sacred; its inviolability is assured." If identified, authorities who violate this provision and beat criminal suspects during interrogation are prosecuted. In April 1982 a local Catholic Church paper reported that a tailor arrested and tortured in connection with a 1980-81 case involving a former state security officer was found innocent of the charge for which he was arrested. He was subsequently awarded one million Rwandan francs (approximately $10,000) in compensation for an amputated arm and broken leg. The award, however, was one-tenth of the claim and the officer accused of torture reportedly was promoted.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Corporal punishment is not permitted as part of or in lieu of prison sentences. In its 1981 survey Freedom House reported, however, that "beating of prisoners and suspects may be common." Amnesty International noted unverified reports that political detainees were physically ill-treated.

If caught using violence, prison officials generally are disciplined. Other than separation by sex and age, prisoners receive equal treatment. General neglect, however, and inadequate guard training, food, medical supplies, and outdated and badly overcrowded buildings render prison conditions poor. A new prison with better facilities has been under construction for several years but is not yet finished. Meanwhile, church and other organizations continue their efforts to improve existing prison conditions. In May 1982 the Minister of Justice confirmed that prison reform is planned but reforms have not begun.

e.· Arbitrary Arrest and Imprisonment

Suspects are detained if caught committing crimes. Otherwise arrests occur with the service of a warrant following investigation. Several types of warrants issued by regional judicial authorities are used to detain suspects. There have been no reports in 1982 of instances where proper warrants were not obtained. If the charges appear sufficient, a suspect is formally arrested. Except in rare cases where the defendant is not available, charges must be formally stated in the defendant's presence within five days of arrest. Detention in excess of this period is grounds for dismissal of the charges. Authorities who do not respect this provision can be subject to administrative discipline although there are no instances on record where administrative discipline was ever applied. Under preventive detention provisions, however, persons may be held for thirty days. At the end of that period, a judicial review is mandatory. If warranted, the detention can be prolonged indefinitely in 30-day periods. Detainees may appeal their incarceration. According to law, an appeal must be heard within 24 hours by a competent judicial authority. Since this procedure apparently has rarely been successful, it is rarely invoked by defendants.

That the foregoing arrest and imprisonment standards are not always upheld was clearly indicated in March 1982 when the Minister of Justice met with police criminal investigators and prison directors in the wake of a heavy-handed criminal crackdown which aroused public protest. He stressed that a police arrest report must be filed in one to five days with the public prosecutor.

The Minister told prison directors that they should not accept an accused individual without a file from competent judicial authorities and should resist pressure from administrative authorities to simply imprison someone without proper documentation. In August 1982 the Minister emphasized that police must uphold public security while respecting individual rights and avoiding brutality.

f. Denial of Public Trial

Although all defendants are constitutionally entitled to representation, the lack of legally trained people especially for the defense of the accused has traditionally hampered the judicial process in Rwanda. Family and other counsel is permitted. The judiciary is statutorily independent and expected to apply the penal code impartially. New laws in January 1982 strengthened the independence of the judiciary by improving the nominating process and more closely defining the exercise of its functions, promotions, and discipline. However, the President still names and dismisses magistrates. Rwanda has three separate court systems to deal with criminal/civil, military, and state security cases. Military tribunals handle only military personnel. Criminal/civil and military cases may ultimately be appealed to the court of cassation, which is the supreme judicial authority.

A separate court of state security has original jurisdiction over treason and other national security charges. Persons tried before this court enjoy the same protection and due process as those tried before other courts, but do not have the right to appeal beyond asking the court of state security to reexamine their case.

g. Invasion of the Home

Police are required to have warrants in order to enter and search private residences. Warrants are issued by local judicial authorities. These procedures generally are respected.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Radio broadcasts, a daily press bulletin, and a newspaper that appears at irregular intervals are produced and controlled by the Government. Two self-censored church publications print sometimes sharp criticism of political and economic issues. Such criticism is tolerated and occasionally even encouraged by the Government. The Government has cautioned the press to avoid, however, what it regards as "harmful" criticism of leaders, and maintains that the press should devote its efforts to promoting development. Books and imported publications are not censored and academic freedom is respected. Although belonging to the movement, some members of the National Development Council have been willing to criticize government policies and practices.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly generally is respected, although cautiously exercised in the political arena to avoid government disapproval. For example, public meetings or demonstrations to express overt opposition to government policies do not take place. The Constitution guarantees the right to unionize and strike, but aside from cooperatives Rwanda has no labor organizations. Although the labor movement in Rwanda traces its roots to before independence, difficulties in securing continued financial support from foreign union sources plus divisions within the movement's executive bureau reduced labor union activities in Rwanda to a minimal level. However, the movement and the Government are now taking steps (including a September 1982 seminar organized with the help of international labor bodies) to establish a national labor movement.

c. Freedom of Religion

This freedom is protected constitutionally and respected in practice in a country which is some 60 percent Christian, 1-2 percent Muslim, with the remainder following traditional faiths. Eighty percent of the Christians belong to the Roman Catholic Church, but there are many active Protestant denominations as well. The Government requires religious denominations to register before they may function. There is no overt favoritism toward one religion, although the Catholic Archbishop of Kigali is a member of the movements's central committee, and all but one or two members of the cabinet are Catholic. The President and other government party officials regularly attend special services of all denominations. The Government, in fact, depends upon church-supported schools for a considerable but declining portion of education in Rwanda (e.g., over 85 percent of secondary schools are church supported).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Freedom of movement is limited internally by policies discouraging migration and by a lack of new lands available for settlement. In June 1982 the Rwandan Government arrested long-term Burundi Hutu refugees near the Burundi border and in Kigali, apparently on the basis of a Zaire/Burundi/Rwanda agreement that each country control opposition political activity aimed at another state. The arrests were made without a public statement of charges, but were reported in the Belgian press. As a condition for their release, the Rwandan Government has insisted that the refugees be resettled elsewhere in the country with the help of the UN High Commission for Refugees.

In spite of Rwanda's inability to repatriate former nationals, in October 1982, long term Rwandan residents of Uganda began to move back into Rwanda. By the end of October, Rwanda had absorbed approximately 40,000 people along with 50,000 head of cattle. This massive influx of people and animals has severely taxed the resources of a country as poor and as densely populated as Rwanda.

The Government controls issuance of passports. A refundable deposit of about $500 is required for each passport, ostensibly to encourage return home and to conserve scarce foreign exchange. Occasionally the Government abuses these powers by withholding passports without explanation or as a result of administrative inefficiency until the purpose of the travel has passed.

e. Freedom to Participate in the Political Process

Rwanda is organized under the aegis of the National Revolutionary Movement for Development, which is the "single political entity beyond which no political activity can be exercised." All power resides primarily with the President. The movement organization parallels the Government and encompasses delegates elected from the movement membership as well as appointed officials. The Government places high value on achieving national consensus through contact with the people. All Rwandans are encouraged to vote after reaching the age of 18. The Tutsi minorty, who represent approximately 14 percent of the population and who prior to independence dominated Rwanda politically, are only represented in the Government to a minor extend. At the national level, the Secretary General and the central committee of the movement are all appointed by the President of the Republic in his capacity as President of the movement.

Delegates to the governing national congress of the National Revolutionary Movement for Development include representatives of prefectural committees which comprise government administrators and elected delegates. Communes are represented by the "bourgmestre" (appointed) and the vice chairman of the council (elected). Government civil servants and employees of parastatal organizations and private industries form special movement cells and elect their own leaders and delegates to national meetings. About half of the members of the congress are elected and the remainder are appointed. Every citizen is automatically a member of the movement. Although no opposition groups are permitted and national leaders are not overtly criticized, national elections are contested by several movement candidates, and there is some debate about policies and procedures within the existing party structure. For example, the Government's first draft of the 1978 Constitution was thoroughly debated, dissected, and finally completely rewritten to conform to concerns articulated through the movement structure.

The National Revolutionary Movement for Development selects candidates for local and national Government office. Local council elections were held in 1980. The movement and the Government held elections for the Parliamentary National Development Council inaugurated on January 6, 1982. Although the Constitution provides that all laws promulgated by the Government must be approved by the 64 member council, which includes four women and one Tutsi, most power remains with the executive branch. The Parliamentary National Development Council, however, has the power to initiate and draft legislation jointly with the executive branch. In less than a year the council has demonstrated considerable initiative and has made the Government particularly sensitive to financial questions.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Rwanda is an active participant in African and United Nations human rights issues. It hosted an international human rights colloquium in 1978 and participated in an international investigation of human rights in the Central African Empire in 1979. Rwanda participated in the drafting of the Organization of African Unity Human Rights Convention in 1981. Representatives of the International Committee of the Red Cross (ICRC) visited Rwanda in June 1981 to consider projects to improve prison conditions. The Rwandan authorities, however, declined to agree with the ICRC's standard conditions for visiting political detainees.

In 1982 there were no reports of requests for outside investigations of alleged human rights violations apart from the case involving the arrest and resettlement of refugees from Burundi and Amnesty International investigation of prisoners detained in connection with State Security mentioned above. In this instance, the Government reluctantly cooperated with the UNHCR's effort to help resolve the situation.

4. Economic, Social, and Cultural Situation

Rwanda remains one of the world's poorest and most densely populated countries, despite some progress during recent years in meeting economic and social needs. Adjusted gross national product (GNP) per capita has doubled from 1970 but totaled only $204 in 1979. Thirty percent of the urban and 90 percent of the rural population were calculated to be below the absolute poverty level in 1977. Some 95 percent of Rwandans earn their living from subsistence farms averaging less than two acres. Traditional land tenure patterns prevail, and rural income distribution is relatively even. Urban dwellers are marginally more prosperous but suffer unemployment with wages lagging behind inflation. The right to own property alone or in association is protected. Rwanda's population totals some 5.2 million people (1981). According to recently reworked national census figures, Rwanda's population grew at an average annual rate of 3.7 percent during 1970-78. The creation of a national population office in 1981 and a growing allocation of resources to family planning represent a gradual recognition of the need to cope with high population growth.

Rwanda's relatively small monetary economy is based on the export of coffee, which accounts for about 70 percent of foreign exchange earnings and provides the principal basis for government revenues. Petroleum products and manufactured products are imported. The country has little industry and must pay high transportation costs to move goods along a 1,100 mile road link to the sea via Uganda and Kenya. Real economic growth over the past five years has stayed barely ahead of population growth. Rwanda's trade, investment, and banking policies encourage modest private sector economic activity. About 85 percent of Rwanda's small businessmen are Rwandans, and the proportion is growing. Foreign investment, however, is stagnant.

The Government gives priority to integrated rural development, focusing on increased food production, expanded health services, and improved education. Life expectancy has increased from 41 years in 1968 to about 45 years in 1980 while infant mortality stood at 127 per 1000 live births in 1970. In 1977, Rwandans received about 98 percent of their caloric nutritional requirements, while 68 percent of the population had access to safe water in 1975. Literacy grew from 16 percent in 1962 to 23 percent in 1975, and primary school enrollment expanded from 49 percent in 1960 to 70 percent in 1979.

The Constitution states, "All citizens are equal before the law, without any discrimination, notably that of race, color, origin, ethnicity, clan, sex, opinion, religion, or social position." In education and employment an informal quota policy applied in both the public and private sectors restricts Tutsis in rough proportion to their numbers in the total population. The requirement that ethnic origin be listed on identity documents ensures that these informal quotas are not exceeded, but Tutsis are nevertheless, found at all levels of employment. The President regularly reminds his countrymen that all citizens are equal and exhorts them to work together for the betterment of the nation.

Despite some progress in meeting economic and social needs women have benefited less than men. Sexual discrimination is outlawed by the Constitution, but women are second-class citizens before the law. For example, their rights to property are limited. Women are discriminated against in the job market and have fewer chances for education, employment, and promotion. Family planning services are inadequate but improving, and there are no organizations promoting women's issues apart from a recently established women's organization within the male-dominated movement.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: RWANDA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	4.1	7.4	9.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	4.1	7.4	9.0
A.AID	1.9	3.4	6.5
LOANS..............	0.0	0.0	0.0
GRANTS.............	1.9	3.4	6.5
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	2.2	3.9	2.4
LOANS..............	0.0	0.0	0.0
GRANTS.............	2.2	3.9	2.4
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	2.2	3.9	2.4
E.RELIEF.EC.DEV & WFP.	0.3	0.8	0.3
VOL.RELIEF AGENCY.....	1.9	3.1	2.1
C.OTHER ECON. ASSIST...	0.0	0.1	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.1	0.1
PEACE CORPS......	0.0	0.1	0.1
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.1	1.5	0.0
LOANS..............	0.0	1.5	0.0
GRANTS.............	0.1	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	1.5	0.0
C.INTL MIL.ED.TRNG....	0.1	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	4.2	8.9	9.0
LOANS..............	0.0	1.5	0.0
GRANTS.............	4.2	7.4	9.0
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	36.5	38.0	10.4	279.7
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.8
IDA	26.5	0.0	0.0	115.7
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	4.1	33.9	10.4	68.1
UNDP	3.5	4.1	0.0	26.8
OTHER-UN	2.4	0.0	0.0	3.1
EEC	0.0	0.0	0.0	60.2

SAO TOME AND PRINCIPE*

The Democratic Republic of Sao Tome and Principe, composed of two small islands off the west coast of Africa, has been a one-party state since independence in 1975. For five centuries before independence Sao Tome and Principe were colonies of Portugal. No political activity is permitted outside the ruling party, the Movement for the Liberation of Sao Tome and Principe. The Government draws heavily on Marxism-Leninism for its political principles, and state control of the means of production is the general rule. Manuel Pinto da Costa, founder and leader of the party since 1972, "was elected" unopposed as the first President of the Republic in 1975 by the Popular Assembly, constitutionally the supreme organ of the state and highest legislative body. In 1980 he was re-elected unopposed for a second five-year term. President da Costa is the only major decision-maker in the country.

The only significant opposition to the Government in recent years has consisted of Sao Tomean exiles in Portugal. A number of formerly prominant political figures, including ex-Prime Minister Miguel Trovoada, have been in exile for several years.

Freedom of speech and press is effectively circumscribed, and public criticism of the Government is extremely rare. The small defense force of local troops is reinforced by troops from Angola and assisted by advisors from Cuba and various Eastern bloc countries. Political conditions in the country were sufficiently stable in 1981 for the Government to release a number of persons arrested and imprisoned earlier as security threats. In the latter half of 1982, however, increased security anxieties by the Government reportedly again led to increased political arrests without trial.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

No reports have been received of political killings in recent years.

b. Disappearance

No reports of abductions or secret political arrests have been received in recent years.

c. Torture

No reports of incidents of torture have been received.

d. Cruel, Inhuman or Degrading Treatment or Punishment

No reports of these abuses have been received in the past year.

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*There is no US Mission in Sao Tome. Although the US Ambassador resident in Libreville, Gabon is accredited to Sao Tome and Principe and visits there periodically, information on human rights conditions in the country is limited.

e. Arbitrary Arrests and Imprisonment

Amnesty International reports that at least four persons arrested and imprisoned in past years on political charges, allegedly without due process, were released in 1981. Amnesty International continues to investigate the cases of several other persons reportedly arrested and detained arbitrarily, but it is not clear whether any are still being held. An as yet unverified report indicates that increased security measures in the latter half of 1982 have included an increased number of political arrests without formal charges, with some of the arrestees being held indefinitely and others eventually released.

f. Denial of Fair Public Trial

An unknown number of persons demonstrating against food shortages were arrested in December 1981, but it is uncertain whether any are still being held. Amnesty International continues to investigate the cases of persons allegedly arrested and imprisoned in past years without fair trials. No trial was held in the case of former Prime Minister Trovoado, who was arrested in 1979 and allowed to go into exile in 1981. The Constitution does not address the right of public trial, although it is believed the right is usually observed in practice in non-security-related cases.

g. Invasion of the Home

No incidents of the violations of the sanctity of the home were reported in 1981. There were some incidents reported in past years, which were usually related to political detentions.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Sao Tomean media are entirely organs of the Government and are obliged to adhere to the Government's position on all issues. No public criticism of the Government, or expression of dissenting political views, is permitted. The few individuals who have dared to voice openly their discontent with declining economic conditions have been promptly arrested. In December 1981 demonstrators on the island of Principe protested shortages of essential goods on the island. Government forces intervened to suppress the demonstration, shot and wounded several demonstrators and arrested a number more.

b. Freedom of Peaceful Assembly and Association

Assembly and association are legal in Sao Tome only within the official party. All labor organizations are affiliated with the party and are prohibited from striking. They do not play an independent role in the economy or political process.

c. Freedom of Religion

This right is protected, according to the Sao Tomean Constitution. No information is available on whether unofficial discrimination is practiced against members of either of the three principal religious communities: Roman Catholic, Evangelical Protestant, and Seventh Day Adventist.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

There have been no reports of problems in this area in recent years, although the geographic isolation of the islands and requirement for exit visas constitute impediments to emigration.

e. Freedom to Participate in the Political Process

Government policy is formulated by the President in discussion with his key cabinet and security officials. Public expression of dissenting political views is not permitted. Citizen participation in Sao Tome's political process is limited to the single political party. In theory, district-level popular assemblies are elected every two and a half years, and these local assemblies choose the National Assembly. In 1975, at the transition to independence, 52 candidates vied for 18 seats in the National Assembly. In 1980, mass meetings were held at which district-level popular assemblies were elected which, in turn, chose the members of the National Assembly. These "elections" have had little, if any, influence on government policies.

Women enjoy constitutional guarantees of equality with men. Some women are active in public life, and several are ministers, but cultural factors tend to restrict the majority of women to a traditional role.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violation of Human Rights

In its 1982 Report, Amnesty International expressed concern about detention without charge or trial and unfair trials of political prisoners in Sao Tome. The extent to which the Government has taken cognizance of the concerns of international human rights organizations is not known.

4. Economic, Social, and Cultural Situation

Since the 1800's the economy of Sao Tome and Principe has been based almost exclusively on plantation agriculture. At the time of independence, Portuguese-owned plantations occupied about 90 percent of the total land area. After independence, the Government adopted a Marxist-Leninist political orientation and assumed control over the major economic enterprises on the islands. In the case of the cacao plantations, this involved expropriating the former Portuguese owners. The weak world market in recent years for cacao (which accounts for 90 percent of the country's export revenues), a record low 1981 cacao crop, and the mismanagement of the nationalized estates have placed considerable pressure on the economy. The resulting shortage of foreign exchange has produced shortages of such basic imported consumer goods as soap and cigarettes. While most people have enough to eat, one of the country's major problems is its heavy dependence on imported food. Lack of investment capital, skilled manpower, and effective individual incentives are other major impediments to development.

The overriding domestic concern of the Sao Tomean Government, after political security, is economic development, particularly in the agricultural sector. The Government is concentrating considerable effort on expanding domestic food production and revitalizing its cacao, copra, and coffee plantations.

In order to help the Sao Tomean Government meet its goal of increasing agricultural production, the US Agency for International Development began in 1977 a two-phase project to provide equipment and technical support for a crop production and diversification program. The second phase of the project will run until 1984 and involve $1.5 million for procurement and training. Despite these efforts, the country's real GDP dropped 11.5 percent between 1980 and 1981, its overall balance of payments declined 13.5 percent, and its external borrowing increased some 16.7 percent. Per capita GDP in 1981 is estimated at about $300.

Some 100,000 Sao Tomeans live in their country of 372 square miles (269 persons per square mile), and their numbers are growing by some 2 percent annually. Three-fifths of the labor force is engaged in agriculture, fisheries, and forestry. Unemployment is estimated at 50 percent of the work force. The Government has attempted to improve health facilities (for example, through a malaria eradication program and pre- and post-natal clinics) and has succeeded in obtaining assistance in this area from a variety of overseas sources. The most recent figure (for 1981) on the infant mortality rate per 1000 live births is 49.7. Illiteracy remains very high, perhaps 90-95 percent. The Government is placing a high priority on the improvement of basic education and development of technical skills. The quality of urban housing varies for the most part from fair to poor by developed country standards and tends to be lower in rural areas. Access to services such as piped water and residential electricity is limited nation-wide. Access to food, shelter, health care, and education does not appear to be denied to any group on the basis of race, religion, sex, or ethnic background.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: SAO TOME AND PRINCIPE

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.1	1.8	0.1
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.1	1.8	0.1
A.AID	0.0	1.6	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	1.6	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.1	0.2	0.1
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.1	0.2	0.1
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.1	0.2	0.1
E.RELIEF.EC.DEV & WFP.	0.1	0.2	0.1
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.1	1.8	0.1
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.1	1.8	0.1
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.2	0.2	0.0	10.6
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	8.7
UNDP	0.2	0.0	0.0	1.5
OTHER-UN	0.0	0.2	0.0	0.4
EEC	0.0	0.0	0.0	0.0

SENEGAL

Senegal, which has a tradition of democratic government, is a multi-party, constitutional republic headed by a president. It became independent from French colonial rule in 1960. The head of government is a prime minister chosen by the president. The current president, Abdou Diouf, is also Secretary General of the Senegalese Socialist Party, which holds a majority of seats in the unicameral, popularly elected National Assembly. President Diouf succeeded President Leopold Senghor as chief of state when the latter voluntarily retired from office on January 1, 1981. Presidential and legislative elections are scheduled for February 1983. Senegal defines its economy as socialist, albeit with significant participation by the private sector. It is a developing country whose economy is based on agriculture.

There have been no events in 1982 which have adversely affected Senegal's human rights record. The country's open society, democratic institutions, and vigilant court system encourage a free debate of important issues. No reports have been received of any significant violations of human rights in Senegal in recent years. Amnesty International has not identified any critical deficiencies in Senegalese human rights practices.

Both long-and-short-term trends in the human rights field are favorable. The health of the democratic system is demonstrated by the country-wide preparations for presidential and legislative elections in 1983.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There are no reports of killing for political motives in recent years.

b. Disappearance

There is no record of persons being abducted, secretly arrested, or held in clandestine detention by official or quasi-official security forces. No vigilante groups exist whose activities are condoned by the Senegalese Government. There are also no records of Senegalese subject to prolonged or permanent "disappearance."

c. Torture

The Constitution states that the person is sacred and must be protected by the state. The criminal code specifically prohibits physical abuse. Nevertheless, some physical coercion, including beating of persons held in detention by prison authorities, occurs.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Other than whipping of fractious prisoners for violations of prison discipline, punishment which might be considered cruel, inhuman, or degrading is not practiced in Senegal. Prisons are far from ideal because of overcrowded conditions and meager fare. Clerics, friends, and family enjoy access to prisoners.

e. Arbitrary Arrest and Imprisonment

Arbitrary arrest or imprisonment is forbidden by the Constitution and is not practiced. The Constitution guarantees every citizen access to legal counsel in every aspect of legal procedure. Habeas corpus is not incorporated into Senegalese law. Preventive detention is permitted when the civil authorities determine that there is a threat of civil disturbance, or the person is a danger to himself or others. A suspect can legally be held without charge for 48 hours following arrest, or up to 72 hours if a public prosecutor so orders. Charges are formally and clearly stated.

f. Denial of Fair Public Trial

Senegal follows the French legal system. Trials are fair and open to the public. Officials of the courts are trained lawyers with several years of required apprenticeship. Defendants in theory have the right to effective counsel in the sense that public defenders are provided for in the law; they do not exist in practice, however. Senegalese defense lawyers are famous throughout francophone Africa for their skills. The judiciary is constitutionally and effectively independent of the executive and military. Ordinary courts differ from political and military courts. Ordinary courts have hearings which are presided over by a panel of judges and, in the case of criminal charges, they have a jury.

Political and military courts are considered special courts and include the High Court of Justice, the Security ("political") Court and the Military Courts. The High Court of Justice was created for the sole purpose of trying high government officials for treason or for malfeasance in office. This Court has not been convened since the early 1970's. The Security (or "political") Court consists of a judge and two assessors. It has jurisdiction over any case involving crimes believed to have been committed with a political motive. Such cases are referred to the Security Court by the Government. Appeals from this Court are referred to the Supreme Court, but only on the basis that a mistrial has occurred. This Court has not been convened in over 15 years.

Military Courts - the Court of Appeals, the Tribunals of the First Instance and the Courts of Assize may be augmented by military assessors to constitute military courts which have jurisdiction over offenses committed by members of the armed forces in time of peace. (In wartime, courts martial are convened.) This Court has a jury if the case is tried in Assize. Appeals from these courts may be granted on the basis of a mistrial. Civilians may not be tried in a military court.

g. Invasion of the Home

There are constitutional and legal safeguards against arbitrary invasion of the home. The right of property is guaranteed and the home is inviolable. Search warrants may be issued only by judges and only according to appropriate procedures outlined by law. There is no evidence to suggest that the public security forces violate the privacy of the home.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech and intellectual inquiry are respected. The Constitution guarantees the right of each individual to express and disseminate his opinions freely. Senegal has a vociferous and iconoclastic press, with a half-dozen regularly published newspapers ranging from politically conservative to Marxist-Leninist. In addition to observed practice and constitutional safeguards, the Government earlier this year reaffirmed its belief in free speech and equal access to the news media in official letters to opposition parties which had queried the Government on these points. Opposition political parties meet regularly in widely-publicized conferences which are open to the public. Criticism of the Government is free and wide-ranging. There is virtually no censorship of domestic or foreign books. The most recent case occurred in 1979, when a magazine containing an article critical of a local religious organization was not allowed into Senegal. The schools and universities enjoy academic freedoms.

Television and radio stations are owned by the Government, and in this sense an indirect censorship is exerted on the media. Coverage is given to the activities of opposition political parties, although the parties themselves claim that they do not receive a share of air time proportional to the membership. The Government has denied this claim but has promised to examine the question prior to the national election. There are no reports of any journalists having been intimidated, harassed, or arrested, nor has any newspaper or magazine been closed down. The Constitution guarantees the inviolability of private correspondence, mail, telephone, and telegraphic communication, and these guarantees are observed in practice.

b. Freedom of Peaceful Assembly and Association.

The Constitution authorizes citizens freely to assemble, a right which is often exercised. No group has been denied the right of free assembly. However, during the recent visit to Senegal of President Mitterand, Senegalese police broke up the press conference of a local quasi-political figure who was in the process of urging his audience to attack French interests in Senegal. There have been no reports of any other official interference in political meetings.

Both the major trade union confederation, which is a governmental organization, and small independent trade unions, play an important role in the society and economy of Senegal. Unions exercise the right to organize, negotiate, and strike. The major trade union confederation serves as a means for the Government to influence workers' desires and grievances and to insure that strikes are legal and staged for significant reasons. The major trade union confederation has a sense of independence. Under existing laws, it could support opposition candidates in the forthcoming elections. In April 1982, at the annual congress of the trade union confederation , membership voted to no longer accept ministerial rank for their leadership because of potential conflicts of interest. (Under law, the confederation is entitled to two ministerial posts.) Less than 25 percent of the labor force is unionized. No official harassment of unions has been noted, nor have any independent scientific or professional groups complained of persecution or intimidation. The regional International Labor Organization office has characterized labor relations in Senegal as very good.

c. Freedom of Religion

Senegal is a secular state. Freedom of conscience and religion are constitutionally guaranteed and are recognized in practice. Religious institutions have the right to administer their own affairs. Some 75 percent of the population is Muslim; other religions are represented, however, and are permitted to practice freely. There are Christians, for example, in prominent government positions. Conversions among religions are permitted and do occur. There is no discrimination against minority religions. Adherence to a particular faith does not confer either advantage or disadvantage in civil, economic, military, or other secular status.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution states that all citizens of the republic have the right to move and establish themselves freely anywhere in Senegal. Movement within Senegal is not restricted. There are no restrictions placed on residence in certain areas. In 1981 the Government abolished a requirement for exit visas for travel outside Senegal.

Senegal does not restrict emigration as a matter of policy or practice, nor do official attitudes discourage or impose sanctions on intending emigrants or intending repatriates.

The Senegalese Government does not impede either domestic or foreign travel on the part of its citizens. It accords privileged status to visitors from countries belonging to the West African Economic Community. It places no restrictions on residence by citizens or aliens in certain cities or rural areas. The United Nations High Commissioner for Refugees (UNHCR) estimates that 5,200 refugees, mainly from Guinea-Conakry and Guinea-Bissau, reside in Senegal. To UNHCR knowledge, no refugee has been forced to return to his homeland. Guinean residents of Senegal, who number 500,000 to 600,000, pass through the poorly-guarded borders without official formalities and settle wherever they wish. Because of close ties between the Senegalese and Guinean governments, however, few are recognized officially as refugees.

e. Freedom to Participate in the Political Process

Senegal is an active, multi-party democracy. The Constitution permits an unlimited number of political parties. At present there are 14 which run the full range of the political spectrum from conservative to Marxist-Leninist. Political parties enjoy full freedom of expression in speech and print. Two parties are currently represented in the National Assembly, of which the majority is the "Partie Socialiste". The National Assembly vigorously debates government policy and frequently splits its vote along party lines.

Elections in Senegal are free. Nationwide elections in 1983 will be held for the office of president and for the National Assembly. The Government has been conducting a vigorous voter registration drive for the last year in preparation for the elections, in which most of the political parties are expected to participate. In addition, provincial and municipal elections have recently been held in hundreds of constituencies throughout the country. Senegal has universal adult suffrage. All areas of the country are represented in the Government. Equal employment opportunity is legally assured for women, but lack of training or of previous employment experience as well as traditional views about the role of women in society hamper achievement in practice. There are, however, female members of the cabinet as well as women's groups active in the various political parties.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Senegal is a leader among African countries in the establishment of international standards for human rights practices. It was the original sponsor in 1979 of the Organization of African Unity (OAU) Human Rights Charter which was adopted at the OAU summit in Nairobi in June 1981. Senegal is also represented and plays a positive role in expanding the influence of the Human Rights Commission. It is the headquarters of the African Bar Association's Institute of Human Rights, an organization which trains lawyers and judges in translating rights into practical judicial legal procedures. The Senegalese Government has not been the subject of human rights actions by official international organizations.

Amnesty International is represented in Senegal and recently held an exposition in Dakar. There have been no recent official visits by any other external non-governmental human rights group.

The judicial system is the most effective guarantor of individual liberties in Senegal. Such organizations as the Institute of Human Rights, the Senegalese United Nations Association, and Dakar University Faculty of Law keep a watching brief on human rights issues, while the courts have a positive record in defending the rights of individuals and private institutions. The National Assembly publicly reviews and evaluates all government programs throughout the year. There is no evidence of pressure brought to bear on such institutions by the Government.

4. Economic, Social, and Cultural Situation

Over the past 12 months, Senegal continued to implement measures designed to stave off international bankruptcy which had seemed a real probability until mid-1981. The World Bank reports per capita GNP as increasing from $430 in 1979 to $451 in 1980. However, over the last 18 months there has also been a 20 percent increase in a traditional African family's cost of living. This indicates a considerable reduction of the man-in-the-street's purchasing power. At least a part of this reduced real income is a result of official policies. The Government has attempted to restrain public employment and administrative costs, as well as to cut back consumer and agricultural subsidies.

Structural economic reform is a major problem having an impact on the well-being of the public. With nearly six million inhabitants (5,830,000 estimated in 1981) and a population growth rate of 2.8 or higher, food self-sufficiency has become the chief development goal. Senegal is trying to increase and improve its agricultural resources to feed a burgeoning population. Family planning is still in the initial stages. However, there are indications that the Government is urgently addressing these issues.

Health continues to show steady improvement, reflecting the Government's efforts to decentralize social services away from Dakar to the benefit of the rural inhabitants. Life expectancy at birth has increased from 42.1 in 1979 to 43.2 in 1980 according to the World Bank. The infant mortality rate in the first year of life has declined from 159 per 1,000 live births in 1972 to 146.8 in 1980.

The major commitment by President Diouf to strengthen primary and secondary education in 1981 has continued throughout the past year. Primary school enrollment continues to increase, and the Government is concentrating on finding employment for school graduates.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: SENEGAL

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	27.0	35.5	30.9
LOANS...............	7.0	7.0	7.0
GRANTS..............	20.0	28.5	23.9
A.AID	10.0	14.8	16.2
LOANS...............	0.0	0.0	0.0
GRANTS..............	10.0	14.8	16.2
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	15.1	18.6	12.7
LOANS...............	7.0	7.0	7.0
GRANTS..............	8.1	11.6	5.7
TITLE I-TOTAL..........	7.0	7.0	7.0
REPAY. IN $-LOANS.....	7.0	7.0	7.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	8.1	11.6	5.7
E.RELIEF.EC.DEV & WFP.	3.1	4.2	0.6
VOL.RELIEF AGENCY.....	5.0	7.4	5.1
C.OTHER ECON. ASSIST...	1.9	2.1	2.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.9	2.1	2.0
PEACE CORPS......	1.9	2.1	2.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.2	0.2	0.3
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.2	0.2	0.3
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.2	0.2	0.3
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	27.2	35.7	31.2
LOANS...............	7.0	7.0	7.0
GRANTS..............	20.2	28.7	24.2
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	59.5	95.0	12.9	549.2
IBRD	10.0	55.6	0.0	155.7
IFC	3.5	25.2	0.0	32.8
IDA	42.3	0.0	0.0	187.5
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	1.2	0.0	2.9	33.7
UNDP	2.5	1.2	0.0	31.7
OTHER-UN	0.0	0.5	0.0	6.2
EEC	0.0	12.0	10.0	201.6

SEYCHELLES

Since 1979, Seychelles has been a socialist, one-party state headed by President France Albert Rene. The single party is the Seychelles People's Progressive Front. Under President Rene's leadership, the Government continues to strive for major social and economic changes, while insuring its self-preservation by limiting and controlling the political process. Seychelles' Constitution does not contain a bill of rights; the protection of traditional civil rights is set forth in its preamble as a stated intention of the people. However, since legal safeguards against actions by the executive branch are minimal, civil liberties, while generally respected, exist at the sufferance of the Government.

During 1982 the Government of President Rene has been buffeted by the aftermath of the November 1981 external mercenary attack, an internally inspired army mutiny, and deepening economic malaise. It has reacted with increasingly authoritarian measures. Known or suspected enemies of the regime have been arrested, sometimes mistreated, and expelled. The Government's use of foreign (Tanzanian) troops to crush the mutiny and its reportedly brutal handling of captured mutineers has resulted in widespread public dissatisfaction.

The Government has at the same time maintained a high level of social services to its citizens. The standard of living has also remained relatively high. However, the economy is declining as revenues from tourism have dropped sharply. Disturbances since November 1981 have exacerbated this downward economic trend.

Despite political turmoil, routine police matters continue to be conducted by a professional, unarmed police force modeled on the British system. An independent judiciary, composed of contract expatriate judges, as in the past, applying a mixture of British common law and the Napoleonic code, continued to administer justice in routine cases. Both the police and judiciary generally exercise prudent behavior and judgment and do not abuse their positions.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There has been no conclusive evidence that the Government has engaged in killing any individual for political motives. However, the circumstances surrounding an October bomb explosion which killed two persons remain unclear, as does the fate of some army mutineers mentioned below.

b. Disappearance

Following the August 1982 army mutiny the Government arrested approximately 200 servicemen. However, it has not yet informed the public of their fate. Most families have been told only that relatives involved in the mutiny have been sent to some outer island. This perceived obfuscation has been widely resented, mainly because Seychelles is so small (66,000 population) that many citizens know or are related to one or more of the mutineers. The Government's unwillingness to be more specific about those detained has also increased speculation about the actual death toll during the mutiny. The official figure of nine killed is not widely believed. Many families whose relatives allegedly are in detention believe they are actually dead.

c. Torture

The Seychelles Constitution prohibits torture. While there have been various allegations to suggest torture has occurred, there is no clear evidence to date that it has gone beyond the relatively less severe maltreatment discussed below.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Although the Constitution clearly prohibits such treatment, there are reports that many persons arrested following the November 1981 mercenary attack and August 1982 army mutiny were mistreated. This included beatings, incarceration without clothing, restriction for extended periods in a small space, limited food and water, and public humiliation. Rough treatment by the authorities is also meted out to Rastafarians, a black youth protest movement unrelated to the religious sect which believes in the divinity of the late Ethiopian Emperor Haile Selassie. "Rastas" stand out because of their unkempt personal appearance, long hair, drug usage, and unemployment. When arrested--usually for vagrancy, public disorder, or drug trafficking--police frequently cut their hair and beat them.

e. Arbitrary Arrest and Imprisonment

About 80 persons known to be hostile to the regime were detained following the November 1981 mercenary attack. In December 1981, a Preservation of Public Security Act, which gave the President unlimited detention powers, was enacted. It in effect legalized these arrests. No arrestees were ever charged or appeared in court, and all but one had been released prior to October 1982. While there are no legal procedures to guard against arbitrary arrest or imprisonment, individuals are usually not detained for prolonged periods without being charged or brought to trial.

f. Denial of Fair Public Trial

Seychelles jurisprudence is modeled on the British system, with criminal statutes based on common law. Most judges are on contract from other commonwealth nations and exercise a large degree of independence from the executive branch. Non-political and non-military offenders are assured fair and speedy public trials. There are opportunities for appeal and access to counsel. Military offenders are generally tried by court martial under a rigid code which regulates court procedures. However, soldiers committing crimes against civilians often escape unpunished because of government reluctance to prosecute. Political prisoners, i.e. those considered by the Government to be involved in activities designed to subvert the state or the regime of President Rene, are not brought to trial. They are either released following investigation or expelled from the country.

g. Invasion of the Home

Although the authorities have broad powers of search, and arrest without warrant, those powers are used sparingly except in cases of national emergency. Even in normal times, however, domestic political enemies are subject to surveillance, telephone taps, and even intimidation. Foreign visitors occasionally find their rooms have been searched. During the November 1981 and August 1982 emergencies, military authorities entered many homes in search of hostile forces or suspected enemies. Several such entries were forced and accompanied by abuse of the occupants. The Seychelles Government recognizes civilian hostility to military searches and uses the more disciplined, unarmed police when possible.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech is protected by the Constitution but restricted in practice. A 1979 law provides for up to three years imprisonment for "any person who, with intent to bring the President into hatred, ridicule, or contempt, publishes any defamatory or insulting matter whether in writing, print, or word of mouth or in any other manner." The President can also ban any publication for security reasons, as well as jail anyone for up to two years who "prints, makes, imports, publishes, sells, supplies, offers for sale or supply, distributes, reproduces, or has in possession or under his control any prohibited publication."

The only daily newspaper and the one radio station are government controlled and operated. The Catholic Church publishes a monthly paper. The international editions of various periodicals are regularly available at newsstands. Foreign broadcasts are uncensored and can be easily received. An international missionary society operates a regional broadcasting station from Seychelles, but avoids reporting on local events.

Anti-government attitudes by Seychellois or expatriates can have unpleasant consequences. Most of the 80 Seychellois detained after the November mercenary attack had criticized the Government. Vocal opponents are told to emigrate. Expatriates have been expelled (often on 24 hours notice) or refused work permit renewals.

b. Freedom of Peaceful Assembly and Association

Although the Constitution guarantees "freedom to assemble and associate peacefully," this right is strictly controlled. Since any public gathering by more than three persons technically requires a police permit, the authorities have extensive powers to ban any potential non-government-sponsored assembly.

The labor movement in Seychelles is closely associated with the only party, the Seychelles Peoples Progressive Front. The only legal union--the National Workers Union--is under direct party control. The union claims a membership of 25,600, but government statistics report a national work force of only 17,150. The major role of the union is to negotiate wages with employers and the Government. In the currently declining economy, it is largely trying to protect jobs. The right to strike is severely circumscribed by the Government's indirect control of the union. All vacancies are filled through the government labor office, which chooses the candidates to be sent for interviews with an employer. All third country nationals, employed or self-employed in Seychelles, require expensive ($6,350) annual work permits.

c. Freedom of Religion

While several key leaders in the Government are avowed atheists, the regime recognizes the importance of religion in a society where 96 percent of the population is Roman Catholic. Freedom of religion is recognized in principle but somewhat circumscribed in practice. Four denominations--Catholic, Anglican, Seventh Day Adventist, and Bahai--are officially recognized as "Christian." They may worship unhindered, as can Muslims and Hindus. The Jehovah's Witnesses are officially proscribed because they are viewed as a threat to traditional Christian denominations, and the self-styled "Rastafarians" as noted above are harassed.

Foreign missionaries are kept out of the country through work-permit restrictions. The Government attempts to limit religious influence on youth by making it difficult for students at the National Youth Service to attend church services. Clergymen are not allowed in the National Youth Service camps.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There are no restrictions on internal movements aside from a sea curfew. This prohibits marine landings and departures from 6 p.m. to 5 a.m.

Restrictions on foreign travel and emigration are used by the Government to control dissidents. The Immigration Department maintains a list of persons not permitted to leave Seychelles. It also may oblige vocal government opponents and expatriates to leave on short notice. The right of voluntary repatriation is respected for those who are not deemed to be opponents of the regime.

e. Freedom to Participate in the Political Process

Since 1979 Seychelles has been a single party state. The ruling Seychelles Peoples Progressive Front is the only permitted party. The party subscribes to a socialist political/economic philosophy which it has progressively implemented. Opponents of the Government cannot organize freely and find it unsafe to express their beliefs publicly. The original democratic structure of the party has been gradually eroded. In October 1982, the party constitution was changed to enable the executive committee to appoint district leaders. The executive committee was self-appointed during the formation of the party in the mid-1970s and has controlled its membership carefully since then. Previously, district leaders were elected by branch party members. Party members can and do voice their constituents' concerns within the party, but this has become far more circumspect since mid-1982.

Women in Seychelles have had equal opportunity to participate in politics, culture, education, employment, sports, and other facets of society since 1977. They have made considerable progress during this period in all the aforementioned areas. The Seychelles Women's Association--a distinct component under the party umbrella--was formed by the Government to promote women's causes. Women currently fill 40 percent of the 230 positions on party branch committees and occupy 13 of 23 elected seats in the National Peoples Assembly.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Outside organizations are not known to have made any inquiries in the past year to investigate human rights in Seychelles. An inquiry in December 1981 by Amnesty International about the detention and treatment of at least 15 Seychellois arrested that month became moot in 1982 with their subsequent release.

4. Economic, Social, and Cultural Situation

Seychelles enjoys a high standard of living comparable to a lower middle income country. The Government spends significant resources on social services and provides excellent health care, education, nutrition, and housing for all Seychellois. However, the Seychelles economy depends largely on two factors--tourism and foreign assistance. Both have declined in 1982, the former more significantly than the latter.

Tourism, which accounts for almost 50 percent of the GNP, declined by mid-year to 43 percent of its 1979 peak level. Foreign assistance from Iraq, Libya, and Algeria, previously substantial donors, also decreased, while assistance from the UK and France remained static. Per capita GNP was $1,773 in 1980 but had declined to an estimated $1,400 in 1982. Economic problems have been compounded by the Government's on-going transformation of a largely private economy into one dominated by inefficient governmental enterprises.

While Seychelles revalued the rupee by 15 percent in March 1981, neighboring countries, who compete for the same tourist business, devalued their currencies.

Although these events adversely affected Seychelles' tourism, they did contribute importantly to a low rate of inflation (about 4 percent in 1982).

Medical care, prescription drugs, and out-of-country specialized treatment are free through the government-operated medical program. Upper income groups perceive an overall decline in medical standards since the abolition of all private practice in 1979. However, all Seychellois now have access to adequate facilities. The lack of Seychellois doctors continues to be a problem. The hospitals are staffed by doctors from 17 different countries, resulting in an amalgam of medical practices. Family planning and population control continue to be sensitive subjects among the largely Catholic population. The Government has adopted a discreet, gradual approach to family planning through community counseling centers. The Government is concerned over long term population problems. About 40 percent of the population is under age 14, and there is a 2.1 percent growth rate (1980). Nutritional standards are excellent. Fish and fresh fruit are available at relatively low cost, and the Government serves a balanced hot lunch to all school children. The US contributes rice, oil and milk powder to this program. Starvation is unknown in Seychelles.

Education is free and universal, with 95 percent of the eligible population enrolled in primary school. The school program requires attendance in grades one through nine. This is followed by required participation in a two year away-from-home National Youth Service. The Youth Service attempts both to mold Seychellois youth to fit the Government's socialist society and to prepare them for further academic or technical training. Youth Service graduates can either go on to a two year polytechnic (for pre-university academic courses or technical training) or enter the labor force. University studies are only possible overseas. Government scholarships are now given only for "non-aligned" countries (Algeria, Yugoslavia, Cuba, etc.). It is generally agreed that academic standards are low at the Youth Service. Many families have sent their children to overseas schools (usually in Britain).

Social welfare programs are based on the principle of need. Those with means are expected to pay for services provided. Social security funds are distributed to the poor, aged, disabled, and unemployed on the basis of need, not necessarily on prior contributions.

A national employment scheme is aimed at improving the nine percent unemployment rate by providing daily employment on ad hoc projects. The underemployment rate is reportedly high--

about 25 percent of the labor force. The Government tries to provide adequate housing for all citizens by partial grants at subsidized interest rates, scheduled more to income level than repayment requirements. Special emphasis is directed at populating outlying islands through bonuses and housing grants for Seychellois willing to move.

While social programs continue to be a high priority for the Government, its ability to maintain them is threatened by the worsening economic circumstances.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: SEYCHELLES

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	1.0	1.2	2.4
LOANS..............	0.0	0.0	0.0
GRANTS.............	1.0	1.2	2.4
A.AID	0.6	0.5	2.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.6	0.5	2.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	2.0
B.FOOD FOR PEACE.......	0.2	0.5	0.3
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.2	0.5	0.3
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.2	0.5	0.3
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.2	0.5	0.3
C.OTHER ECON. ASSIST...	0.2	0.2	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.2	0.2	0.1
PEACE CORPS......	0.2	0.2	0.1
NARCOTICS........	0.0	0.0	0.0
OTHER...........	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	1.0	1.2	2.4
LOANS..............	0.0	0.0	0.0
GRANTS.............	1.0	1.2	2.4
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.3	0.1	8.6	22.9
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	8.6	20.2
UNDP	0.3	0.1	0.0	2.3
OTHER-UN	0.0	0.0	0.0	0.4
EEC	0.0	0.0	0.0	0.0

SIERRA LEONE

A former British colony, Sierra Leone gained its independence peacefully in April 1961 under a parliamentary system and as a member of the British Commonwealth. In April 1971 Sierra Leone adopted a new constitution, cutting the link to the British monarchy but remaining within the Commonwealth. By means of national referendum in June 1978, a one-party government under the All People's Congress was adopted with the President as head of state. The President exercises predominant executive authority.

Basic civil and political rights, while generally respected in Sierra Leone, are limited to various degrees by the country's one-party structure, by governmental controls on the media, and through certain restrictions on freedom of assembly and association. There have been no major changes in the state of human rights during 1982. While the President's special security guard, numbering about 600, has been accused of limiting the exercise of civil and political rights at different times, there were no specific accusations to this end in 1982. The Constitution guarantees the right to property, prohibits discrimination based on race, tribe, color or creed, and provides for the freedom of association. National parliamentary elections were held in April 1982. Within the one-party system, voters had a choice of candidates in various constituencies. There were reports of some deaths during confrontations between supporters of opposing candidates. Elections in thirteen constituencies had to be postponed because of violence or election irregularities.

Sierra Leone is a poor country with an annual per capita gross national product of under $300. The economy has stagnated in recent years as the result of declining mineral production, a historic neglect of agriculture, and rising energy costs. The deteriorating economic situation has reduced the Government's capacity to undertake social welfare programs. During 1982 committee action was taken in the United Nations to add Sierra Leone to the list of least developed countries.

National development plans have called for improved welfare for the population and a more equitable distribution of income. In recent years development spending, including external contributions, has accounted for 20-25 percent of the total government budget. International donors have concentrated development aid on the improvement and expansion of the country's agricultural and transportation systems. Worldwide recession and lower prices for Sierra Leone's major exports have contributed to expanding deficits both in the balance of payments and domestic budget. Consequently, the country's indebtedness has rapidly expanded. New IMF assistance may help this problem somewhat.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Although there were some deaths during the campaigns for parliamentary elections, they were not politically motivated killings deliberately caused by government forces or opposition elements. The deaths were apparently the result of generally spontaneous frictions over candidates and issues between rival party factions. There have been no other reports of politically-motivated killings.

b. Disappearance

There have been no reports of abductions, secret arrests, or clandestine detentions.

c. Torture.

There is no indication that torture is used in Sierra Leone. It is specifically prohibited by the Constitution.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

There have been no reports of cruel, inhuman, or degrading treatment or punishment. Health care and overall conditions in prisons are severe, but this seems to result from a general paucity of resources rather than a deliberate effort to inflict cruel or degrading punishment on prisoners. In places of detention, treatment is not differentiated by classification of prisoners by social class, race, sex, or religion. Allegations of poor prison conditions were, however, received by Amnesty International in 1981.

e. Arbitrary Arrest and Imprisonment

Habeas corpus is part of Sierra Leonean common law, but it is suspended while a state of emergency is in effect. Under the Constitution promulgated in 1978, the President may take measures to detain any person who is, or is reasonably suspected to be, dangerous to the well-being of the republic. A state of emergency must come into force within 28 days after the detention, or a detainee not charged with an offense must be released. If an emergency is declared, there are virtually no restrictions on detention. During the state of emergency which existed from September 1981 through early 1982, about 180 individuals were detained on various charges. All such detainees were charged or released within a short period of time. There are no detainess at the present time.

f. Denial of Fair Public Trial

All persons charged with a criminal offense are entitled to a fair hearing within a "reasonable" time by an independent and impartial judiciary established by law, but, in reality, persons so charged may have to wait lengthy periods before coming to trial because of backlogs in the understaffed court system.

Defendants are allowed counsel of their choice and convictions may be appealed. Sierra Leone's courts have a good reputation for providing fair public trials. Persons detained under the Public Emergency Act are not guaranteed a fair hearing (unless charged with a criminal offense) and their acquittal after usual constitutional procedures does not ensure release from detention.

g. Invasion of the Home

There are legal safeguards, which are generally observed, against arbitrary invasion of the home. There have been no reports of bugging, wiretaps, or the like.

2. Respect for Civil and Political Rights, Including

a. Freedom of Speech and Press

Freedom of speech is legally guaranteed, but under the Constitution this freedom can be abridged if the proper functioning of the party is deemed in jeopardy. There is no opposition permitted and thus no opposition press but there are a number of independent newspapers which print stories critical of the Government and contain articles which do not appear in the government-controlled media. In 1981, however, the office of the most prominent of these newspapers was ransacked and its printing press destroyed by government supporters. In mid-1980, an act was signed into law which imposes a significant newspaper registration fee and vests the power of registration with the Minister of Information. Decisions of the Minister can be appealed in court. The size of the registration fee would have the effect of putting many independent newspapers out of business. The law has not yet been put into effect, although the Government announced in September 1982 that it would be activated. Vigorous protests by the independent papers may be the cause for the continued delay in implementation. There is no formal censorship of domestic or foreign publications, although foreign periodicals have been removed from public sale on one or two occasions.

Academic freedom is limited somewhat by self-censorship as teachers and students realize certain criticisms may not be palatable to the party or government, given the nation's one party structure.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly, although legally protected under normal circumstances, can be restricted under the terms of the Constitution. Groups seeking to organize for the purpose of seeking alternatives to one-party government could experience difficulties exercising the right of freedom of assembly. However, such a possibility did not occur in 1982.

Labor organizations normally have been allowed to operate freely and have not been subject to government control. National strikes in the fall of 1981, during which about 80 labor leaders were detained for varying lengths of time, resulted in the appointment of a commission of inquiry into labor matters. While the commission was conducting its inquiry, the executive committee of the central labor organization, the Sierra Leone Labor Congress, was suspended and a care-taker committee ran the organization's affairs. Following submission of the commission of inquiry report in September 1982, the Labor Congress was allowed to organize elections to form a new executive committee, which is now operating freely. Most major sectors are unionized, and unions exercise the right to organize, negotiate, and strike. Unions and professional organizations maintain relations with recognized international bodies in their field.

c. Freedom of Religion

Freedom of religion is respected and is constitutionally guaranteed.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The major official restriction on travel within the country is intended to control smuggling in diamond mining areas of Kono district. There are numerous police check points on major provincial roads. Regulations governing foreign travel are liberal, and there are minimal legal restrictions on emigration. There are no constitutional restrictions on repatriation. Possible revocation of citizenship and refugee concerns are not issues in Sierra Leone.

e. Freedom to Participate in the Political Process

Only one party, the All People's Congress, is allowed to function in Sierra Leone. Membership in the single party permitted under the Constitution is open to all. There is a unicameral House of Representatives. There is universal suffrage and there is no discrimination based on sex, ethnic, communal, racial, or religious factors. In national elections held in April and June 1982, candidates were returned unopposed in about one-third of the constituencies. In a number of districts where voters had multiple choices, incumbents, including cabinet ministers, were defeated. Defeated candidates were free to petition in the courts for redress against alleged irregularities. The Government is balanced by tribal group and two women currently have cabinet posts. Some members of the former opposition party continue to hold significant positions with the Government and the All People's Congress.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Amnesty International, in September 1981, asked the Sierra Leonean government for information about the detention of labor leaders without charges and about allegations of poor prison conditions. The Government however, did not respond to Amnesty International's request.

4. Economic, Social, and Cultural Situation

Sierra Leone, with a per capita Gross National Product of $272 (1980), is a poor land with large disparities in levels of income, education, access to health services and the overall quality of life. The majority of Sierra Leone's population, which is over 70 percent rural, could be categorized as absolutely poor. In fact, 65 percent of the rural population falls below the absolute poverty level. African surnamed (i.e. tribal) Sierra Leoneans are disproportionately represented among the absolute poor because of the particular circumstances of the nation's history. The rural Sierra Leoneans tend to be of Muslim or animistic religious backgrounds, much more so than the more privileged urban groups.

Perhaps the greatest disparity in the quality of life in Sierra Leone is between those in the rural area and all but the poorest urban dwellers, a fact which is the main contributor to urban migration. For example, only one percent of the rural population has access to safe drinking water compared with 75 percent of the urban population. While adult literacy has more than doubled to 15 percent over a decade and total primary school enrollment has risen to 37 percent, rural areas are short of schools and are staffed by a large percentage of unqualified instructors, some of whom may not have gone beyond even a seventh grade education themselves. This causes families interested in their children's education and upward social mobility to move to Freetown or send their children to live with relatives in Freetown. Development in general has been concentrated in the Freetown/western area, an imbalance that was further increased by infrastructural improvements made in preparation for the 1980 Organization of African Unity Conference.

Widespread corruption in all parts of the country has the effect of denying adequate medical care and nutrition to the poor, who often must pay bribes to obtain what should be free medical care, and who suffer most from the activities of those who make a practice of profiteering in the retailing of basic foodstuffs. Resultant malnutrition (the average Sierra Leonean's daily caloric supply has declined to only 93 percent of nutritional requirements) and poor health care have helped to give Sierra Leone an infant mortality rate of 207.5 per 1000 live births, one of the highest rates in the world. Nevertheless, life expectancy at birth has increased to 47 years. With increased life expectancy and a fertility rate of 6.1 births per woman, the population growth rate has increased to 2.6 percent per year.

Women in Sierra Leone are guaranteed equal rights by the Constitution. In practice, however, the status of women varies substantially in different parts of the country. In the modern sector, women occupy such prominent posts as mayor of the capital city and supreme court justice, while in remote areas they traditionally have a more subordinate role. Even in the provincial areas, however, women can fill roles of significant status, such as paramount chief of a district. On both official and unofficial levels, increasing attention is being paid to the role of women in political and professional activities.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: SIERRA LEONE

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	7.1	9.4	10.4
LOANS..............	1.2	2.3	3.0
GRANTS.............	5.9	7.1	7.4
A.AID	2.0	2.8	3.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	2.0	2.8	3.1
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	2.6	4.2	4.4
LOANS..............	1.2	2.3	3.0
GRANTS.............	1.4	1.9	1.4
TITLE I-TOTAL..........	1.2	2.3	3.0
REPAY. IN $-LOANS.....	1.2	2.3	3.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	1.4	1.9	1.4
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	1.4	1.9	1.4
C.OTHER ECON. ASSIST...	2.5	2.4	2.9
LOANS..............	0.0	0.0	0.0
GRANTS.............	2.5	2.4	2.9
PEACE CORPS......	2.5	2.4	2.9
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	7.1	9.4	10.4
LOANS..............	1.2	2.3	3.0
GRANTS.............	5.9	7.1	7.4
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	8.3	22.1	1.4	196.1
IBRD	0.0	0.0	0.0	18.7
IFC	2.1	0.0	0.0	2.1
IDA	2.5	0.0	0.0	34.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	17.3	0.0	36.4
UNDP	3.2	4.8	0.0	22.1
OTHER-UN	0.5	0.0	1.4	4.3
EEC	0.0	0.0	0.0	78.5

SOMALIA

Somalia has one legal political party and an advisory parliament, but real authority rests in the hands of President Mohamed Siad Barre, who has the support of the nation's armed forces. Siad came to power through a coup d'etat in 1969 and established the Supreme Revolutionary Council. President Siad continues to cite the revolution as the source of his Government's legitimacy. Despite the initial decision to play the predominant role in the economy, the new Government had neither the financial nor the skilled human resources necessary to implement a public sector-dominated economic and development strategy. The Government has come to recognize the practical limitations of state control of the country's economic life, and there is increased willingness to experiment with approaches based on market forces and encouraging the private sector. Somalia is working with the International Monetary Fund and International Bank for Reconstruction and Development but only the first steps toward economic recovery have been taken.

A Constitution which provides some guarantees of political and civil rights was adopted in 1979, and a parliament with tightly circumscribed functions was elected in 1980. In October of 1980, President Siad decreed a state of emergency and suspended constitutional guarantees, citing as primary reasons: domestic economic inefficiency, corruption, and external threats. That state of emergency was lifted in February 1982. Individual liberties continue to be subordinated to the needs of the state, however, and the Government places tight controls on civil and political rights. Open criticism of the Government is not permitted. Dissenters risk arbitrary arrest.

Somalia is inhabited essentially by one ethnic group, the Somali, who conducted their affairs democratically over a long history. Division into clans and clan-families, often competing, has not prevented a sense of shared Somali nationhood. All major Somali clans are represented in the Government, military and Somalia's single political party. However, President Siad's small clan, the Marehan, enjoys disproportionate representation and political influence. He also has solid support from the Ogadeni clan, which like the Marehan is strongly represented. Opposition to Siad extends across clan lines but only Majertain and Issak dissidents have fielded active resistance units. Siad's 1969 coup ended Majertain domination but many members have continued to prosper under the Siad Government. The Issak have greater cohesion than the Majertain but also are not unified in opposing the Government.

Two organized opposition groups, the Somali Salvation Democratic Front (SSDF) and Somali National Movement (SNM) are based outside of the country. The SSDF is a Majertain-based clan group from the south central area. It was founded in 1978 and set up its headquarters in Addis Ababa. The SNM is an Issak-based group from the north that was created in London 3 1/2 years ago and recently established its new headquarters in Addis Ababa in June 1982. The SSDF espouses a radical leftist ideology while the SNM uses democratic and pro-Western language. These oppositionist groups have carried out insurgent acts within Somalia.

Ethiopian regular and Somali dissident forces launched an attack across the central Ethiopian-Somali border in late June of 1982 and are still holding two villages which they captured at that time. This attack prompted the Government to reimpose a state of emergency, limited this time only to the central region which is under attack. The Government also decreed authority to conscript recruits for the armed forces and to confiscate property needed for the war effort.

Somali officials acknowledge that the Government detains persons for political crimes. The exact number of such detainees is uncertain, but probably declining. In early 1982, the Government began releasing prominent political prisoners. Among those released were former Prime Minister Ibrahim Haji Egal, former Commandant of the Somali National Police, General Abdullahi Farah Ali Holif, and Religious Leader Sheikh Mohamed Moalim. However, in June 1982, former Finance Minister Mohamed Yusuf Weirah, released in February, and six other high government officials were arrested. The seven are still in custody. No charges have been filed, and all are being investigated for crimes against the State.

In the northern city of Hargeisa, riots took place in February and March 1982 during which several protestors died and several thousand anti government rioters were arrested. The demonstrators, released over the next seven months, were protesting the trial of 28 Hargeisa dissidents arrested in November 1981 for anti-government activities. These comprised circulating anti-government pamphlets and attending meetings in which the Government's treatment of northern Somalia was attacked. Twenty were sentenced in March to prison terms ranging from three years to life. Their sentencing sparked a second round of riots in March and April during which several hundred additional persons were briefly detained. Although rumors abound that the twenty will be released soon, all remain in prison.

Basic freedoms in Somalia have long been, and continue to be, circumscribed. The opening of some economic activity to the private sector and the limited nature of the current state of emergency are encouraging signs, but it is too early to determine if they constitute a long-term trend.

1. Respect for the Integrity of the Person Including Freedom from:

a. Killing

There have been no reported instances of killing for political motives by the Government.

b. Disappearance

There have been no reported cases of disappearances in 1982.

c. Torture

No credible reports that torture was practiced in Somalia by either the Government or organized groups were received in 1982. There were allegations that persons detained in the northern region were tortured to obtain confessions, but these charges are unsubstantiated. The Constitution provides that prisoners shall not be subjected to physical or mental torture.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Conditions in prisons and detention camps are spartan. Diet is poor, and adequate medical treatment is difficult to obtain. While there are sporadic allegations of abuse, there is no evidence of intentionally degrading treatment of prisoners by reason of social class, race, or religion.

e. Arbitrary Arrest and Imprisonment

The Constitution provides that every person deprived of political liberty "shall forthwith be informed of the offense of which he is accused" and that anyone detained on security grounds "shall without delay be brought before judicial authority within the limit prescribed by law." Despite this provision, the Government does detain defendants without charge in cases involving national security. The seven high government officials arrested in early June have not yet been charged. Following the February and March demonstrations in Hargeisa during which several thousand persons were arrested, several hundred demonstrators were detained, but not tried, for approximately seven months (most were released in July). Habeas corpus does not exist in cases having to do with security and persons being investigated for security reasons can be detained indefinitely.

f. Denial of Fair Public Trial

Under the Somali system of government no institution, including the civil court, is independent of executive review. Moreover, political dissenters are not always accorded a public trial. The national security court operates outside the regular legal system and has jurisdiction over a broad range of crimes, including attacks against the state, public administration, members of the Government, the military forces or public order. This court is a political instrument of the Government and its deliberations are never public. Defendants before it, as well as occasionally the civil and criminal courts, are often denied the right of legal counsel.

g. Invasion of the Home

Homes of political dissidents and those suspected of political dissent are subject to arbitrary searches. In these cases, Somali law protecting the sanctity of the home, is suspended by the search and seizure authority of the National Security Service. There is no evidence that other violations of the home, such as "bugging", demolition, or sealing doors and windows, are practiced.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The media are entirely Government-owned. Opposition views or fundamental criticism of the Government are not allowed. Foreign publications are subject to systematic censorship before they can be sold or otherwise offered to the public. In August 1982, a portion of a "Newsweek" article which was critical of the Siad Government was cut out of each issue before the magazine was allowed to be sold.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly is severely restricted. Most public meetings and all rallies are organized by the Government. The one labor union in the country is organized and controlled by the Government and has no right or authority to strike or take any independent actions. The union is permitted and encouraged to maintain relations with recognized international bodies, however. The Government is the major employer in the small modern sector and the union serves as a conduit through which worker grievances may be channeled to the Government for decision regarding salaries and benefits.

The Government's official policy strongly discourages clan differences. Nonetheless, traditional institutions continue to function and clan differentiation and solidarity remain salient ingredients of Somali social structure and life. Siad has used clan rivalries to consolidate and maintain his rule. While not averse to playing one clan off against another, Siad and his Marehan clansmen cannot stand alone and, therefore, are careful not to overtly discriminate against other clans. The Marehan are reaping the benefit of their dominance of the Somali government but this is a function of political status rather than discrimination.

c. Freedom of Religion

The Constitution provides that the state religion is Islam, which is the religion of over 95 per cent of the Somali population. Sufi religious orders, such as the Salihiya, enjoy religious freedom but play no direct role in the Government or politics of Somalia. Adherents of religions other than Islam are allowed to worship freely, but may not proselytize for new members. Members of minority religions do not suffer overt discrimination, persecution or harassment, but neither do they rise to the top levels of the Government.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Although there are no legal restrictions on domestic travel for Somali citizens, the military and police monitor movements along main roads, near larger urban areas, and military emplacements. Any Somali citizen can obtain a passport, but air travel on international flights is controlled and monitored. Persons whom the Government does not wish to leave the country, especially young men of military age, are denied permission to travel.

Most Somalis who are abroad are there by choice, either because of economic opportunities or because they oppose the Government. However, should they wish to repatriate, President Siad has stated that they would be allowed to do so. There is no evidence of an influx of returnees, however, and in some instances, persons returning have been detained.

Refugees are not forced to return to their homelands. Following the recent outbreak of hostilities between Somalia and Ethiopia in Somalia's central border region, some refugees were conscripted into the armed forces.

e. Freedom to Participate in the Political Process

Somalia is ruled by its President. Participation in Somalia's political affairs is centrally directed by the country's only political party, the Somali Revolutionary Socialist Party (SRSP). Real power rests with those party members who have demonstrated loyalty to Siad. "Mass organizations" such as the General Federation of Somali Trade Unions, the Somali Women's Democratic Organization, and the Somali Revolutionary Youth Union are subordinate to the party. Elections were last held in December 1979, when a People's Assembly was chosen. The election process consisted of voters casting a yes/no vote for or against the single party's candidates. Positions were not contested.

No overt opposition groups exist, and organized criticism of government policies is forbidden. In keeping with Somali traditions, however, both formal and informal consultations do occur among the President, prominent leaders of the Government, and various clan leaders, thereby providing a mechanism for voicing dissent. Somalis are united by their common language and culture and by their perceived descent from two brothers said to have been members of the prophet Mohammed's tribe. Although clan rivalry persists and is manipulated by Siad for political purposes, and the Marehan have a disproportionate presence in the Government and military, there is no evidence of total disenfranchisement of any clan. No one is denied participation or suffrage on the basis of sex, race or social background. The status of women has been advanced considerably in recent years. The Constitution explicitly confers legal equality on women, although the Government does permit harsh customs such as female circumcision and infibulation. The Somali Woman's Democratic Organization is a mechanism which has achieved greater participation of women in areas previously closed to them. There are no problems of nationality, citizenship or statelessness.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights:

Somalia does not participate in international and regional human rights bodies. It has not been the subject of resolutions, investigations or other human rights actions by official international organizations.

Amnesty International (AI) has communicated with the Somali Government, but no Amnesty International group has been permitted to visit Somalia. There are no organizations in Somalia concerned with human rights violations. AI's major concerns are the detention without trial of government opponents, the allegations of ill-treatment of prisoners, and harsh prison conditions.

Since the outbreak of border fighting with Ethiopia in July, the Somali Government has rejected International Committee of the Red Cross (ICRC) requests for permission to inspect prisoner of war (POW) camps. Although evidence is scanty, it does not appear that POWs in Somalia are subjected to systematic abuse.

4. Economic, Social, and Cultural Situation

Data on Somalia are limited and largely unreliable. Somalia has a population of about 4.2 million. 60 percent of the population are nomads, 20 percent are settled rural dwellers, and 20 percent are urban. The population growth rate is an estimated 2.8 percent. Somalia is one of the poorest countries in the world. According to World Bank data, the per capita gross national product was only $383 in 1980, but even that figure may be overstated. Life expectancy at birth is 43.5 years, and the infant mortality rate is 146.2 per thousand births. The adult literacy rate is 60 percent; the percentage of population with access to safe water 38 percent; the primary school enrollment is 50 percent; and the ratio of calorie supply available for consumption relative to nutritional requirements is 88 percent.

The health of the Somali people is poor, with the principal causes for morbidity and mortality being malnutrition and infectious disease, diarrhea, malaria, measles, whooping cough, and respiratory infections. Health services are largely located in the urban area. There are a few rural health clinics, but these are not easily accessible to the majority of the nomadic population. Urban inhabitants benefit from a wider range of government social services, such as health and education, for these tend to be concentrated in the cities and towns. Somali nomads are less affluent than the urban population, and given their mobile lifestyle, have limited access to the services the Government is able to provide. The livelihood of this group is also subject to the greatest degree of risk because of recurrent droughts.

While the Government has made efforts to meet the social and economic needs of its population, genuine resource constraints, restrictive economic policies, bureaucratic inefficiency and corruption have hindered its efforts. Recently, Somalia entered into an agreement with the IMF, and in keeping with the provisions of that agreement and other liberalizing measures, the Government has generated renewed economic activity among and greater income for farmers and nomads. Government attempts to meet the needs of its population are generally provided on a non-discriminatory basis.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: SOMALIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	67.3	57.0	55.8
LOANS..............	17.7	15.0	14.5
GRANTS.............	49.6	42.0	41.3
A.AID	17.3	12.1	34.4
LOANS..............	0.0	0.0	0.0
GRANTS.............	17.3	12.1	34.4
(SEC.SUPP.ASSIST.)...	5.0	0.0	20.0
B.FOOD FOR PEACE.......	50.0	44.9	21.4
LOANS..............	17.7	15.0	14.5
GRANTS.............	32.3	29.9	6.9
TITLE I-TOTAL..........	17.7	15.0	14.5
REPAY. IN $-LOANS.....	17.7	15.0	14.5
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	32.3	29.9	6.9
E.RELIEF.EC.DEV & WFP.	32.3	29.9	6.9
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	20.0	20.4	25.4
LOANS..............	20.0	20.0	10.0
GRANTS.............	0.0	0.4	15.4
A.MAP GRANTS..........	0.0	0.0	15.0
B.CREDIT SALES-FMS....	20.0	20.0	10.0
C.INTL MIL.ED.TRNG....	0.0	0.4	0.4
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	87.3	77.4	81.2
LOANS..............	37.7	35.0	24.5
GRANTS.............	49.6	42.4	56.7
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	32.2	16.2	0.0	341.9
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.4	0.0	0.4
IDA	16.0	0.0	0.0	148.4
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	9.7	9.7	0.0	52.8
UNDP	5.1	3.3	0.0	48.0
OTHER-UN	1.4	2.8	0.0	13.8
EEC	0.0	0.0	0.0	78.5

SOUTH AFRICA

South Africa is a multiracial country with a parliamentary democratic system in which, as a result of the apartheid system, the 16.2 percent of the population which is white presently holds a monopoly of power. The South African system is a mixture of Western-style human rights practices and limits on these practices. National elections are free and fair, but only whites may presently participate. The press is free, but circumscribed by government pressure. Free labor unions exist, but while black unions are growing in strength; government pressure on them, including arrests of union leaders, has increased. The judiciary is based on the British model, but security legislation encroaches broadly on judicial power.

Political change of the apartheid system was the focus of reform proposals, public debate, and counter-proposals in South Africa in 1982. At the same time internal and regional violence increased as a result of the conflict between the South African Government and groups such as the African National Congress, some of which have resorted to violent means to bring about an end to apartheid. The process of evolutionary change toward an undefined future political system was thus accompanied by both violent efforts to bring about revolutionary change and government efforts to eliminate opposition and keep control of the pace, direction, and substance of the process.

Increasing opposition to apartheid, the reaction to violence, and the process of change itself significantly affected South Africa's human rights situation in 1982. Chief among the effects was the continued erosion of the rule of law and its replacement by administrative fiat, diminishing the ability of citizens to appeal to courts for protection. The public now has no effective judicial remedy against the de-nationalization of Africans, forced resettlement, and indefinite detention without charge, among other administrative actions. While many of these actions are defended by the Government as necessary and correct measures to counter violent opposition to apartheid, they often affect those who have eschewed violence and are seeking to bring about peaceful, evolutionary change away from apartheid.

Following a consolidation of the position of advocates of change within the ruling National Party, the South African Government in 1982 took some steps toward broadening participation in the country's political process. It also enacted a new Internal Security Act which contains some peripheral improvements over previous legislation governing such practices as detention without trial and banning (internal exile). The Government also moved administratively but not legislatively to ameliorate the treatment of security prisoners in the wake of widespread international criticism of deaths in detention. The year also saw the moderation of some restrictions imposed on leading individual opponents of apartheid.

The Government's new proposals for constitutional reform include a limited national franchise for South Africans of colored (mixed race) and Asian descent. Not yet agreed to by these communities or implemented by legislation, these reforms have sparked wide debate. These proposals were designed to address a major inconsistency in apartheid doctrine as originally conceived: while black South Africans had been given political rights only in the context of separate "national states" created for them, the blacks losing in the process their South African citizenship, South Africa's colored and Asian populations were not considered nations and, while regarded as South African citizens, had no logical place in the political system. The government-sponsored reforms, if implemented, will recognize the rightful place of these two groups in the present Republic of South Africa and extend to them, on an ethnic basis, a form of limited national political representation. The proposed reforms do not allow for participation by black South Africans in the South African central Government.

While increasingly recognizing the need for economic integration, the South African Government continues to look for a political alternative to a unitary, non-racial South Africa. While the Government's proposed reforms have been criticized by opponents of apartheid as "cosmetic," the ruling white National Party split in February 1982 over the very issue of power sharing with coloreds and Asians. Despite the National Party split, a severe right-wing backlash in the Afrikaner community, and potential splits within the colored and Asian communities, the Government has indicated its determination to move ahead with its reform proposals.

As the debate continues on whether or not the process of change under way in South Africa represents the beginning of meaningful reform of apartheid or only its rationalization and modernization, apartheid remains the governing reality of life in South Africa. Apartheid, by whatever name, institutionalizes political and economic control by the white minority. The 83.8 percent of South Africa's population which is not white suffers pervasive discrimination which severely limits political, economic, and social life. (This report refers to the four major South African population groups as African, colored (the South African legal term for people of mixed race), Asian (Indian), and white. The term black is used in the broad sense, embracing all those of color in South Africa--Africans, coloreds, and Asians.)

The Constitution of South Africa, as amended since the National Party came to power in 1948, currently denies all persons who are not classified as white the right to vote in parliamentary elections or to be members of Parliament. Government proposals for constitutional reform currently being discussed would extend the franchise on a racially exclusive basis to coloreds and Asians. Derived from the Westminster model, the South African Constitution contains no Bill of Rights and provides for parliamentary supremacy. Government policy holds that, because of South Africa's ethnic and cultural diversity, the present economic and educational disparities among its constituent groups, an orderly society can best be achieved through separation of the races. A web of discriminatory laws and practices has thus been implemented throughout South African society. Important examples include: (A) the Constitution itself; (B) legislation which limits the citizenship of South Africa's 21 million black citizens to generally resource-poor "homelands" comprising 13 percent of the country's land area; (C) influx control or "pass" laws which prescribe the conditions under which black workers and their families may remain outside the homelands; (D) separate and unequal educational systems for the various race groups; (E) the Group Areas Act, which mandates separate residential areas for whites, coloreds, and Asians; (F) the Immorality and Mixed Marriage Acts, which make sexual relations or marriage between whites and persons of other races illegal; and (G) the Separate Amenities Act, which authorizes the use of public facilities by persons of a particular race group without requiring equivalent facilities for other race groups.

South Africa has through the years also enacted legislation that, in the name of security, curtails the civil liberties of those persons (of all races) whose statements, actions, or associations are viewed as seriously challenging the established order. After a careful review of existing security laws, the South African Government enacted a new Internal Security Act during 1982 which repeals, while retaining and consolidating under the new Act, virtually all previous legislation affecting state security. While critics acknowledge peripheral improvements, they also assert that the Act preserves many of the objectionable elements, including detention without charge or trial and the authority to ban individuals, organizations, publications, and gatherings.

Flowing out of the defense of and opposition to apartheid in South Africa, a vicious cycle of violence is developing in southern Africa involving African National Congress attacks into South Africa and South African attacks against the African National Congress in neighboring states. A December 9, 1982, South African Defense Force raid aimed at elements of the African National Congress in Maseru, Lesotho, left 42 persons dead, including South African refugees, women, children, and Lesotho citizens. There are also reports that the South African Government supports dissident movements in neighboring states as a means of diminishing local government support for the African National Congress. The conflict between the Southwest Africa Peoples' Organization and South Africa over Namibia, resulting in Southwest Africa Peoples' Organization attacks into Namibia from Angola, parallels the situation along the borders of South Africa itself. This growing cycle of cross-border violence is a challenge to both human rights and political stability in the entire southern African region.

1. Respect for the Integrity of the Person, Including Freedom from:

   a. Killing

In 1982 two security detainees died while in police custody. Neil Aggett, a white physician and labor activist detained in November 1981, was found hanged in his Johannesburg cell on February 5, 1982. In the government inquest into the circumstances surrounding his death, lawyers for the Aggett family contended that he was driven to suicide by abusive interrogation techniques employed by the police. The magistrate presiding over the lengthy inquest ruled on December 21, 1982, that there was no proof beyond a reasonable doubt that any police officer or other person had committed unlawful or negligent acts that caused Dr. Aggett's death. On August 9 police found Moabi Dipale hanged in his cell after three days detention.

A white South African police officer in Durban was convicted in 1982 of kidnapping, but acquitted of murder, in the deaths of three African murder suspects whose bodies were found under a bridge in Natal Province in November 1981. The officer in question stated in court that he had already held the three men the maximum of 48 hours for questioning. Needing to travel to Swaziland on business and fearing their release, the officer admitted that he made the 14-hour round trip with the three men locked in the trunk of his car. He claimed that he then returned the three men alive and well to a police station near Durban. The officer received a 5-year sentence on the kidnapping charge. His alleged accomplice fled to Britain where he is being held pending trial.

The African National Congress was apparently responsible for a string of sabotage acts during 1982 directed mainly at key instalations (power stations, pipelines, railways, fuel depots), courts, and offices involved in the administration of apartheid, and police stations both in "white" South Africa and in the "independent" homelands. The African National Congress publicly asserts a policy of avoiding civilin deaths, although innocent civilians have been killed and a number injured as a result of African National Congress attacks. Several alleged African National Congress members have also died in confrontations with the police.

Three separate groups of African National Congress insurgents faced the death penalty in 1982, although none were executed. N. J. Lubisi, N. Manana, and P. T. Mashigo were sentenced to death in November 1980 for their participation in an armed attack on Soekmekaar Police Station in which no one was killed. The insurgents lost their appeal, but were granted clemency by the State President on June 3, 1982, after representations by the international community. In a similar case of three African National Congress members being sentenced to death for direct involvement in police station attacks and sabotage incidents in which no one died, the Appellate Division of the Supreme Court has dismissed the appeal of A. B. Tsotsobe, J. Shabangu, and D. Moise, and the three have applied for clemency to the State President. T. S. Mogoerane, J. S. Mosololi, and M. T. Motaung, who were sentenced to death on August 6, 1982, for their admitted attacks, inter alia, on three police stations where four constables were killed, have applied directly to the State President for clemency rather than appeal their convictions.

b. Disappearance

South African laws do not require notification of a detainee's family, lawyer, or any other person when the individual is detained or released. In fact, the Second Police Amendment Act of 1980 prohibits unauthorized publication of the name of any person detained "for the prevention or combatting of terroristic activities." Police spokesmen usually do not volunteer information on detainees, although they will often respond to written inquiries about their status.

c. Torture

Torture is officially not condoned. However, provisions of South African security legislation allow police considerable latitude in arresting suspects and questioning detainees. Defendants and witnesses in a number of political trials have testified in court that they were assaulted or abused by police during interrogation. During 1982 several detainees were admitted to hospitals complaining of mental illness or disorientation. The Detainees Parents Support Committee in 1982 compiled statements from 70 former detainees detailing a range of physical and mental abuse at the hands of security police.

Following the death in detention of Steve Biko in 1977, the Government began a practice of appointing two retired justices, designated by the Minister of Justice, to visit security detainees and send confidential reports of their findings to the Minister. Several released detainees have charged that their complaints to inspectors were ignored or that they never saw an inspector. The new Internal Security Act provides for fortnightly visits by a magistrate and district surgeon, as well as visits "as often as possible" by inspectors--all employees of the State. Critics of the final outcome of the long and thorough Aggett inquest have pointed to the case as an indication of a lack of determination to hold the police responsible for abusive treatment of detainees.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

According to figures compiled by the South African Institute of Race Relations in July 1982, 202 people were currently being detained under security legislation; 112 of these were detained in 1982.

The new Internal Security Act abolishes minimum sentences for security-related offenses, restoring the courts' discretion in sentencing.

Reversing long-standing government policy, Minister of Justice Kobie Coetzee announced in Parliament in May 1982 that security prisoners could under certain circumstances qualify for parole or remission of sentence. Subsequently, a number of security prisoners were released prior to the end of their sentences, though most had only a short time left to serve. Afrikaner poet Breyten Breytenbach was granted an early release in December 1982 after having served seven years of a nine year sentence on subversion charges.

The Internal Security Act, Sections 18-23, authorizes the Minister of Law and Order, as under previous legislation, to issue banning orders. Any person the Minister believes endangers law and order, threatens State security, or promotes the aims of communism or an unlawful organization can be (1) made to resign as officer or member of any organization; (2) restricted to or excluded from certain areas; (3) prohibited from communicating with anyone or attending gatherings; (4) ordered to report regularly to police stations; (5) prohibited from being quoted or published. No court of law can challenge the Minister's power in this regard, although the new Internal Security Act established new procedures for an administrative review of banning orders. Banned persons or other interested parties may make written representations to the Minister of Law and Order within 14 days of the issuance of a banning order. A Board of Review consisting of three members appointed by the State President is created. The chairman must be an acting or former judge, and a second member must hold a law degree. This board conducts a review of banning orders when requested to do so either by the banned person or by the Minister of Law and Order. After hearing both oral and written arguments, the board makes recommendations to the Minister of Law and Order, who may, at his discretion, lift or relax the banning order. According to the South African Institute of Race Relations, some 1400 South Africans have been banned since 1950, and approximately 370 of these have left the country. As of July 1982, 96 people were still banned.

Minister of Law and Order Louis Le Grange announced November 24, 1982, the issuance of an administrative directive to all police officers regarding procedures for treatment of detainees held under Section 29 of the Internal Security Act. The Minister indicated that failure to comply with this new 37-point code would result in disciplinary action and possibly criminal action against those officers responsible. Beyond an elaboration of the provisions of Section 29 with regard to detainees' access to a board of review, access to medical attention, and periodic visitation from magistrates, district surgeons, and inspectors of detainees, the new regulations make the following points:

-- Upon making an arrest under Section 29, the police must notify the appropriate government authorities and "the nearest available relative of the detainee", unless that is against the wishes of the detainee himself or will jeopardize the police investigation.

-- A detainee shall at all times be treated in a humane manner with proper regard to the rules of decency and shall not in any way be assaulted or otherwise ill-treated or subjected to any form of torture or inhuman degrading treatment.

-- Sufficient sleep, exercise, food. and water must be made available to the detainee.

-- Two members of the force should normally be present during the interrogations including a woman police officer if the detainee is female.

In addition to the above, the guidelines enumerate in detail the circumstances under which an internal investigation of mistreatment must be launched. Certain records on each detainee must be kept, including reports on visits to the detainee, measures taken to prevent self-inflicted injury, and the detainee's complaints.

While most observers have conceded that the new guidelines contain certain improvements, some have also stated that they do not go far enough. Most criticism was centered around the fact that the guidelines are not themselves law, but rather administrative regulations, with significant room for police discretion in implementation and interpretation.

e. Arbitrary Arrest and Imprisonment

There are four key clauses in the new Internal Security Act which authorize detention without charge or trial. The Minister of Law and Order may order the unlimited detention of any person deemed likely to commit offenses of terrorism, subversion, sabotage, or other actions endangering the State or maintenance of law and order. No access is permitted to the detainee without the Minister's permission, except for legal counsel appealing the detention. Any commissioned police officer above the rank of Lieutenant-Colonel is permitted to detain for interrogation any individual on suspicion of committing or intending to commit, or withholding information about, acts of terrorism or subversion. There is no maximum period of detention and no one besides the police may have access to the detainee, except for a magistrate, a district surgeon, and an inspector of detainees, all of whom are required to visit regularly. The Act provides for the Attorney-General to issue an arrest warrant for any person likely to give evidence for the State in connection with certain crimes, to prevent intimidation or their absconding. This detention is limited to six months if no court proceedings have yet begun. Finally, the Act introduces new powers of detention and permits any police officer above the rank of Warrant Officer to detain for 48 hours without a warrant any individual who is believed to be contributing to a state of unrest or who could contribute to the resumption of unrest. If the officer obtains a warrant within 48 hours, the detainee may be held for a maximum of 14 days, unless charges are laid. No court may challenge arrests under those provisions of the law, though certain administrative reviews are required.

f. Denial of Fair Public Trial

While the principle of habeas corpus is affirmed in South African common law, it is nullified in practice by various security law provisions as noted above. If a person cannot pay for his or her defense, the publicly financed Legal Aid Board or various private organizations have funds for legal assistance, but these funds are limited and these sources do not accept all cases, nor do they meet more than a fraction of the total need. As a rule, only in cases involving capital offenses may the court appoint counsel without charge. Once legal assistance is obtained and paid for, a defendant has access to counsel throughout the proceedings. While convicted prisoners are generally allowed access to their attorneys, the timing and frequency of such visits are at the discretion of local prison authorities.

Because security detainees may be interrogated without access to counsel, they may admit to actions or charges the implications of which they may not fully understand. Such statements are usually admissible in court. Sometimes an individual may not be aware that legal assistance has been retained by family or friends. In addition, many trials are held "in camera" and some trials are held in distant parts of the country, making it difficult or impossible for family and others to attend. If the court deems it necessary, witnesses may give testimony without being publicly identified. Security as well as criminal trials are held before regular courts, which are generally regarded as independent of executive or military control.

g. Invasion of the Home

The Black (Urban Areas) Consolidation Act allows police to enter homes without a warrant if any black is suspected of illegally residing or working there. The Criminal Procedures Act of 1977 authorizes a judge or magistrate to issue a search warrant if there are reasonable grounds to believe that "the internal security of the Republic or the maintenance of law and order is likely to be endangered by or in consequence of a "meeting" being held in a given place. Under the Act a police officer may enter, search, and question anyone in a place without a warrant if the officer has reason to believe that a warrant for such purposes would be issued but that the delay caused by first obtaining the warrant would defeat the purpose of the search.

African home ownership outside the homelands is extremely limited by laws and restrictions. Most homes are rented from the Government which owns and subsidizes them; some better-off blacks construct their own houses in urban areas, but they cannot own the land. In some areas, however, blacks may now obtain 99-year leases on land for home construction.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The press, particularly the opposition press in South Africa, continues to be a vigorous critic of the government. Despite the progressive erosion of press freedom over the last decade, the press nonetheless remains a vital channel of communication within South African society and with the outside world. The number and scope of laws which restrict the press have increased in recent years. The introduction of several pieces of legislation in 1982 have further reduced the freedom of the press: the Nulcear Energy Act, Laws on Cooperation and Development Amendment Act, and the Registration of Newspapers Amendment Act. Most significant, however, was the passage of the Protection of Information Act which replaces the Official Secrets Act and broadens the definition of information which may not be publicly disclosed. In addition to restrictive legislation, the Government has occasionally taken direct action to suppress press activities, including banning newspapers and journalists.

Direct government censorship of all other publications, films, and public entertainment (though not yet television or radio) is authorized by the Publications Act of 1974, which does not apply to newspapers. The government-appointed publications committees established by the Act may prohibit the distribution or possession of publications, films, or other public entertainment that in its view are considered obscene or blasphemous, that bring any section of the public into ridicule, that harm relations between sections of the public, or that are prejudicial to the safety of the State. Decisions of the Publications Committee may be appealed to the government-appointed Publications Appeal Board but not to the courts.

b. Freedom of Peaceful Assembly and Association

The new Internal Security Act seriously obstructs freedom of assembly, as it gives magistrates the power to prohibit gatherings under certain conditions, impose conditions on the holding of meetings, and close off areas to the public to prevent prohibited gatherings. In response to the widespread unrest in 1976, the Minister of Justice banned all outdoor gatherings except sports or specially authorized meetings. Though originally invoked for a one-year period, the ban has been renewed each succeeding year and is still in effect.

Freedom of association is regulated by the complex of laws prescribing separate schools, residential areas, and public facilities for different racial groups, as well as by prohibitions on interracial sex or marriage. The Political Interference Act of 1968 makes it unlawful for a person of one racial group to join a political party which has members from another racial group; to participate in an election campaign for a person of another racial group; or to address a group all or most of whom belong to another racial group, in order to promote a political party. Thus, each racial group must pursue its political aspirations in distinct structures.

In recent years the government has expanded the scope of administrative exemptions from apartheid laws, allowing some restaurants, drive-in theaters, private hospitals, libraries, and other public amenities to admit persons of all races upon application. Certain legal barriers to interracial sport have been removed.

In the trade union sphere, the government has continued to implement recommendations of the 1979 report of the government-created Wiehahn Commission on labor reform. The numbers of recognition agreements and negotiated wage settlements have also increased. Worker resistance led the Government to withdraw a controversial pension bill. Studies on the totally unregulated millions of employees who work in the agricultural and domestic sectors were begun. Proposed legislation was also published which would improve the so far ineffective industrial court. However, pending legislation on such key issues as union registration, which is still subject to de facto racial criteria, and promised reforms which would remove the last remaining white-exclusive job reservation in the mining industry, have been delayed.

Other structural problems remain. Workers of all races are prohibited by law from picketing. Virtually every one of the black-called strikes this year has been illegal, which suggests a serious defect in the legal dispute resolution machinery. The government, however, has seemed to recognize this structural defect by failing to prosecute leaders in the vast majority of strike incidents.

The wave of arrests of generally black trade unionists in late 1981 left most of them still in detention through the early months of 1982. All but a handful were eventually released without charges, although some of them were subsequently banned. A new piece of legislation enacted in 1982 was used at least twice against union officials. This law, called the Intimidation Act, is a broadly worded document which permits authorities to charge persons alleged to be intimidating others. Contacts with international labor groupings and other national labor centers, including US labor organizations, is tolerated. There has been some selectivity in the granting of visas to trade unionists wishing to visit South Africa, and the selective application of the Fund Raising Act against one major black union federation continues. The ILO, particularly through the forum of its apartheid committee, has been highly critical of South Africa's detentions without charge and bannings of black trade union officials.

c. Freedom of Religion

Freedom of religion is generally respected, and religious organizations are allowed to hold meetings and other activities without interference so long as they do not seriously challenge government policies or otherwise venture into the political realm. Conscientious objector status on religious or any other grounds is generally denied except in certain cases involving members of "Peace Churches," e.g., the Jehovah's Witnesses.

Government ministers often criticize the South African Council of Churches and its General Secretary, Anglican Bishop Desmond Tutu. Bishop Tutu's travel abroad has been limited since his passport was revoked in 1981. The South African Government did, however, grant Bishop Tutu a special two-week travel document in lieu of a passport in September 1982 to attend an Episcopal Convention in the United States. The Government also created a commission to investigate alleged financial irregularities at the South African Council of Churches, leading some to believe that the Government plans direct action against the organization. Some clergymen who have actively opposed government policy remain banned, including Afrikaner apartheid critic C. F. Beyers Naude, who was served with a new three-year banning order in October 1982, the scope of which was somewhat relaxed in December 1982 under the new Board of Review procedures. The five-year banning order of Dr. David Russell, an Anglican priest, was allowed to lapse in 1982.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Except that they must obtain permits to visit some black areas, white South Africans, other than banned persons, are free to move about the country. Whites must also possess valid travel documents in order to travel abroad and emigrate legally. There are legal restrictions on Asians who wish to reside or visit the Orange Free State (one of South Africa's four provinces) or certain parts of Natal Province without special permission.

Africans' residences and travel are currently regulated by a system of "influx control" or pass laws which severely restrict the number of Africans entitled to stay in a given urban area for more than 72 hours at a time. Periodically, the police will conduct raids or sweeps, during which all passes are checked and people illegally resident are arrested and/or transported to their assigned homeland. Nevertheless, the prospect of arrest and removal has not deterred many Africans from seeking the greater economic opportunities available in urban areas.

The threat of removal is not limited to undocumented Africans in urban areas. It is estimated that over two million blacks have been resettled from one area to another since 1960 as a result of the Government's efforts to implement its ethnic blueprint for South Africa. This is in addition to several hundred thousand people who were relocated under the Group Areas Act. In addition to consolidating the homelands territories, the Government also has a policy of resettling in the homelands residents of so-called "black spots" in white rural areas. In many cases, the resettlement has been under direct duress, by means of forcibly transporting individuals and their belongings to the areas in which they are to be resettled; in others, the pressure has been less direct.

In 1981 Prime Minister P. W. Botha publicly declared that a citizen's access to a South African passport was a privilege, not a right. In dismissing Bishop Tutu's application to have his passport restored, the Pretoria Supreme Court ruled in 1982 that the Minister of Internal Affairs has an "unchallenged right to revoke" a passport "without ascribing any reasons for his action." Though exceptions are made when its interests are served, the Government normally requires that an individual assigned to an "independent" homeland must travel abroad on the homeland travel document. No country beyond South Africa, however, recognizes the "independent" homelands as sovereign nations, placing the legal validity of those documents in question. Many Africans have refused invitations to travel abroad to avoid acknowledging a non-South African citizenship by accepting a homeland passport. Through its restrictive passport and visa policies, the Government has blocked the travel to and from South Africa of participants in US Government-funded programs, including scholarship recipients, speakers, and international visitor grantees. Over the past year this situation has improved somewhat. The Department of Internal Affairs, however, continues to exclude from South Africa and Namibia large categories of individuals, particularly clergy, whose views or associations with black South Africans the Ministry finds objectionable. Although emigration from South Africa is unrestricted for those with valid travel documents, it is in fact discouraged somewhat by currency regulations.

e. Freedom to Participate in the Political Process

Until government reform proposals affecting coloreds and Asians are enacted, political participation at the national level will remain limited to whites through a democratic parliamentary, multi-party system. National political rights for black Africans, 72 percent of the population, continue to be denied. While the ruling National Party has a substantial parliamentary majority, three small opposition parties, which operate as freely as the ruling party, are represented in Parliament.

Historically, the political structures assigned to coloreds, Indians, and blacks have been considerably limited in scope. Bodies such as the Colored Persons Representative Council and the South African Indian Council have been set up to provide a measure of legislative and budgetary authority over these groups, but they have been rendered ineffective by election boycotts and opposed from within as unacceptable apartheid structures. In 1980 the Government created the first multiracial consultative body at the national level by appointing whites, coloreds, and Asians to serve on the President's Council, which was created by constitutional amendment to advise the executive on matters of state, particularly the political dispensation of blacks. The members appointed included 45 whites, 10 coloreds, and 5 Asians. The fact that Africans were excluded seriously eroded support for the President's Council and led to the resignation of some of its members.

Convened for the first time in 1981, the President's Council met throughout the year and unveiled its recommendations for the reorganization of all three levels of government in May 1982. After studying the President's Council report, the South African Government put forward in July its own proposals for constitutional reform, based partially on the President's Council's advice and partly on the National Party's own 1977 constitutional proposals. The proposals call for a tricameral parliament divided racially for whites, coloreds, and Asians whose membership would be elected on racially based separate voter rolls. Each chamber of parliament would have primary responsibility for legislation affecting its own racial constituency; a multiracial (white, colored, Asian) President's

Council, appointed by the Executive President, would decide which issues are of general concern and must be treated by all chambers of Parliament. The Cabinet would be appointed by the Executive President from the Parliament but in a racial ratio which ensures a white majority in the Cabinet. The Executive President would be selected by an electoral college which contains a substantive majority of whites, but also some coloreds Asians. The Executive President would replace the Prime Minister in the current system, and would have the power to dissolve Parliament and call elections.

Thus far the South African Government continues to assert that except on a local level, African political aspirations must be realized in the homelands. Since 1970 all Africans have been considered "citizens" of one of ten designated homelands or "national states," created by the Government and destined for eventual "independence." Each African from birth is assigned to an ethnic group and thereby to a homeland, regardless of whether the individual was born, or has lived in, or has ever visited that homeland. When a homeland becomes "independent," all blacks assigned to it lose their South African citizenship and retain only "citizenship" in the homeland.

Slow movement toward a confederal arrangement, which would be more or less divided along racial lines, is being promoted by the Government. Under this framework whites, coloreds, and Asians could exercise some political rights in common, while blacks would exercise national political rights through their respective "independent homelands," and perhaps autonomous black urban municipalities. These could be linked in a loose confederation to the present central Government.

In 1982 the Government sought to abolish the kaNgwane ethnic homeland and cede that territory and part of the kwaZulu homeland to the Government of Swaziland. This action would have had the effect of denying South African citizenship to approximately 596,958 ethnic Swazis living elsewhere in South Africa plus the 159,882 persons resident in kaNgwane and 96,048 persons resident in the Ingwavuma district of kwaZulu. Following rejection of this proposal by the South African Appeals Court, the Government formed a commission of inquiry to study the proposal.

Racial classification and definition is an arbitrary process performed by various elements of the Government or by self-declaration. While blacks are racially classified into one of ten ethnic groups based largely on language, whites are not similarly classified since a person is considered white regardless of whether the person speaks English, Afrikaans, Portuguese or Polish.

All "citizens" of the homelands are entitled to participate in the homeland political process. However, except in Bophuthatswana, at least half of the legislatures' memberships are appointed. A number of homeland opposition leaders have been restricted or imprisoned, and white civil servants seconded from the South African Government still wield considerable decision-making power. To a great extent, "independent" homelands have adopted security legislation modeled on South Africa's, and Transkei, Venda, and Ciskei have used these laws against political opponents of the Government. The Constitution of Bophuthatswana, however, contains a Bill of Rights patterned on the European Convention on Human Rights. The strength of this bill of rights was demonstrated when South Africa's highest court of appeal overturned Mr. Wilfred Marwane's conviction under the Terrorism Act, which was found contradictory to a number of rights guaranteed in the Bophuthatswana constitution.

Although all Africans are technically homeland citizens, approximately ten million live in so-called white areas; the majority of these persons reside in urban areas, usually in nearby townships. Urban Africans may participate in elections for Community Council members, who exercise some control over township affairs. However, these elections have been heavily boycotted, and only about 6 percent of eligible voters turned out for the 1978 Soweto Community Council elections, although participation in subsequent in other African townships ranged from 15 to 30 percent or more during 1980 the limited responsibilities of certain Community Councils were expanded to include the authority to levy rent increases, allocate housing, and oversee the administration of projects such as township electrification. Nevertheless, the role of these Councils remains circumscribed by their continuing financial and administrative dependence on the Department of Cooperation and Development and the Administration Boards which oversee them. The Black Local Authorities Act, passed during the 1982 parliamentary session, raised the rights and responsibilities of these black municipal authorities to the status of white municipal governments, but they remain dependent for financing and personnel on the Administration Boards.

3. Government Attitude Regarding International and Non-Governmental Investigations of Alleged Violations of Human Rights

South Africa extends little or no cooperation to various United Nations bodies or private organizations, like Amnesty International, which investigate South Africa's human rights record. The Government's objections to reports on the state of human rights in South Africa center on its contention that it is being unfairly singled out for criticism, and that similar standards are not applied to other countries, particularly in black Africa.

In its 1982 report, covering events of 1981, Amnesty International expressed continuing concern for the banishment, banning, or imprisonment of prisoners of conscience, detention without trial, and allegations of torture and harsh prison conditions. Freedom House, an American civil liberties organization, designated South Africa as "Not Free" in its 1982 report. On a descending scale of 1 to 7, South Africa ranked 5 and 6 on political rights and civil liberties, respectively.

The International Committee of the Red Cross is permitted access to convicted security prisoners, including those on Robben Island, and visits them on an annual basis. The Committee does not, however, visit security prisoners sentenced to death because the South African Government has refused to permit the Committee to speak to them in private. The International Committee of the Red Cross is not permitted access to security detainees, except for those held under Section 28 of the Internal Security Act which provides for preventive detention. Security Detainees awaiting trial or those held Security detainees awaiting trial or those held under either Section 29 (indefinite detention for interrogation) of the Act or Section 31 (detention of witnesses) are not available to the Committee or any other outside body. Bophuthatswana authorities did allow Committee representatives to visit their one convicted security prisoner (Marwane). Progress is also being made with Venda authorities to acquire regular access to security detainees and convicted prisoners. Transkei has failed to reply to The Committee's offer of services, and Ciskei has not yet been approached.

Foreign journalists have on occasion been allowed to visit South African prisons. Helen Suzman, the parliamentary opposition spokesman for human rights, has been permitted to visit Robben Island and has had discussions with many of the prisoners. The Prisons Act, however, has tightly limited journalists' investigations into prison conditions. Over the years, legal and human rights groups have frequently attended important trials, although some foreign observers have experienced difficulty obtaining South African visas for this purpose.

A number of South African organizations observe, report, and contest human rights violations in the country. Black political organizations have been particularly vocal in calling for a society based on internationally accepted principles of human rights. A number of other organizations have also been active. In June 1980, a "lawyers for human rights" association was formed to monitor and suggest changes in the human rights situation in South Africa. The Black Sash Organization reports extensively on the abuses of the influx control system based on its experience in assisting Africans who have fallen afoul of the pass laws. The South African Council of Churches has spoken out on a wide range of human rights issues and is active in assisting persons incarcerated under security laws and other groups deprived of their human rights. The South African Institute for Race Relations is also very active in this sphere, numbering among its activities the compilation of lists and statistical material on security detainees and banned persons.

4. Economic, Social, and Cultural Situation

The dualistic South African economy extends from a highly sophisticated modern sector to a large subsistence rural sector. Virtually the entire white and Asian populations, and a significant proportion of the colored population, receive their income from the modern economy. Most of the economically active African population of approximately 7 million also participate in this "First World" economy, though generally at lower rates of remuneration and skill/authority levels. Roughly half of the African population, however, resides in the various homelands, which for the most part are resource-poor and lacking in job opportunities. Although there has been considerable economic development in some homeland areas, subsistence agriculture supplemented by remittances from relatives working in "white" South Africa is the prevalent source of livelihood. Since many if not most of the economically active males in the homelands seek employment in the modern sector of "white" South Africa, a disproportionate number of dependents (women, children, and the elderly) actually reside in the homelands. Though agricultural progress is being achieved in some rural black areas, the homelands as a whole do not produce enough food to feed their resident populations. Overpopulation and inefficient farming practices continue to result in declining agricultural conditions.

Building on earlier decentralization schemes designed to induce more rapid economic development in the periphery, the South African Government launched a regional development program in early 1982 to speed economic activity away from the several major urban industrial complexes. To assist in this effort to stimulate economic activity and thereby curb rural (African) migration to the major urban areas, the Government's plan includes provision of financial incentives and technical assistance for qualifying new projects and expansion of existing ones.

Overall economic growth in South Africa will help expand the modern economy and draw more blacks into its ambit. The South African Government has estimated, for example, that an annual real growth of 5-6 percent is necessary for the economy to absorb the approximately 250,000 Africans entering the labor market each year. Economic growth will also, as it has in the recent past, help to narrow existing income, employment, education, and other gaps between whites and blacks. For example, between 1970 and 1980, a period of impressive economic growth in South Africa, the average annual earnings of black wage-earners quadrupled, rising more than five percent a year in real terms. This compares with a slightly negative trend in real earnings for white workers over the same period. According to a respected American study, during this same decade the ratio of white wages to black wages in manufacturing dropped from 6:1 to 4.3:1. In mining the ratio dropped from 19.8:1 to 6.6:1.

World Bank data indicate a relatively high per capita gross national product of $2286 in 1980, a figure that has since grown. Income distribution has traditionally been skewed along racial lines, though this phenomenon is diminishing to some degree. A respected university study indicates that the black share of personal income has been rising in recent years, from 23 percent of the total in 1970 to 29 percent in 1980. While the real increase in personal income was 10 percent from 1975 to 1980 for the country as a whole, it was 3 percent for whites, 26 percent for Asians, 17 percent for coloreds, and 23 percent for Africans, according to the same study.

According to the World Bank, the South African population was 29,626,000 in 1981. The most recent census of the country's population, taken in 1980, records average annual population growth rates by racial groups from 1970 to 1980 as: whites, 1.7 percent; coloreds, 2.2 percent; Asians, 2.4 percent; and Africans, 2.7 percent. Official statistics concerning infant mortality rates per 1,000 live births in 1978 were: whites, 14.9; coloreds, 80.6; and Asians, 25.3. Records for Africans are incomplete, but estimates of infant mortality among this sector of the population range to more than 200 per 1000 live births, especially in rural homelands such as Ciskei. The higher rate of infant mortality among Africans is ascribed largely to poor sanitary conditions and low standards of nutrition.

World Bank data indicate that as of 1960, 57 percent of the adult population of South Africa was literate. Because school attendance has traditionally been compulsory for whites, coloreds, and Asians, the vast majority of South Africa's illiterate population is black. In 1981 black pupil enrollment was just over five milliion in regular primary through high school grades. Only slightly more than one percent of enrollment was in the last grade of high school, illustrative of a high dropout rate. A private study indicated that of African school leavers, some 54 percent departed prior to achieving literacy.

Both in 1981 and 1982 the Government reiterated its commitment to racially-segregated education in responding to recommendations for the establishment of a single system. However, within the present system, the Government has been devoting significantly increased funds to educating blacks. Annual expenditures on black education have increased from $83 million per year to $400 million since 1974. Over the past five years, such spending has grown at an annual rate of 21 percent. There remains, however, a huge disparity between spending on blacks as opposed to whites. For example, in fiscal year 1980/81, the Government spent $202 per African pupil and $1174 per white pupil. Nevertheless, the trend is toward a narrower gap in expenditure and educational opportunities for all race groups. Starting in 1981 free compulsory education began to be gradually introduced for Africans, and African enrollment at "white" universities (in subjects not offered in the segregated African universities) has been growing slowly but substantially.

South Africa suffers from a housing shortage that is apparently still getting worse. The African population is the hardest hit. Early in 1982 a South African Government department announced that almost 120,000 housing units would have to be built annually in "white" South Africa to overcome the shortage within ten years. For Africans alone, the department said some 52,000 units would be needed every year. The situation in the homelands is worse.

African unemployment is not measured directly. South African Government figures show a decline in unemployment among the economically active population throughout 1981, though this does not reflect conditions of unemployment and underemployment in the rural areas. The unemployment rate was recorded at 7.1 percent (402,000 people) in November that year. As the economy has continued to experience a downturn in 1982, unemployment has risen generally. This phenomenon has been more serious among the African population. Private estimates of African unemployment range up to two million.

Discrimination against women in South Africa is manifested in cultural attitudes, legal restrictions, and economic differentiation. The latest South African figures show that in business 13 percent of managerial posts are held by women. Approximately 25 percent of white South African women work, but they earn 35 percent less than men in the same positions. Moreover, South African tax laws do not permit separate taxation of a working couple's income; women's earnings are added to those of their husbands for tax purposes. Additionally married women are regarded as virtual minors before the law, unless they make special contractual arrangements with their husbands to retain certain financial and legal powers which are normally given to the husband at marriage. The Parliament is considering legislation which would change this situation. Black women encounter far greater difficulties than their white counterparts. Millions of black working women are still totally neglected and unprotected by legislation. Domestic workers are unprotected by minimum wage laws and do not qualify for sick leave or maternity benefits. Black women are regarded as perpetual minors before the law, which severely limits their ability to own property and to rent accommodations in urban areas where they find employment.

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U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
              (U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: SOUTH AFRICA, REPUBLIC OF
                                      1980      1981      1982
-------------------------------------------------------------------

I.ECON. ASSIST.-TOTAL...               0.0       0.0       0.0
      LOANS...............             0.0       0.0       0.0
      GRANTS..............             0.0       0.0       0.0
  A.AID ..................             0.0       0.0       0.0
      LOANS...............             0.0       0.0       0.0
      GRANTS..............             0.0       0.0       0.0
    (SEC.SUPP.ASSIST.)....             0.0       0.0       0.0
  B.FOOD FOR PEACE........             0.0       0.0       0.0
      LOANS...............             0.0       0.0       0.0
      GRANTS..............             0.0       0.0       0.0
  TITLE I-TOTAL...........             0.0       0.0       0.0
    REPAY. IN $-LOANS.....             0.0       0.0       0.0
    PAY. IN FOR. CURR.....             0.0       0.0       0.0
  TITLE II-TOTAL..........             0.0       0.0       0.0
    E.RELIEF.EC.DEV & WFP.             0.0       0.0       0.0
    VOL.RELIEF AGENCY.....             0.0       0.0       0.0
  C.OTHER ECON. ASSIST....             0.0       0.0       0.0
      LOANS...............             0.0       0.0       0.0
      GRANTS..............             0.0       0.0       0.0
        PEACE CORPS.......             0.0       0.0       0.0
        NARCOTICS.........             0.0       0.0       0.0
        OTHER.............             0.0       0.0       0.0

II.MIL. ASSIST.-TOTAL...               0.0       0.0       0.0
      LOANS...............             0.0       0.0       0.0
      GRANTS..............             0.0       0.0       0.0
   A.MAP GRANTS...........             0.0       0.0       0.0
   B.CREDIT SALES-FMS.....             0.0       0.0       0.0
   C.INTL MIL.ED.TRNG.....             0.0       0.0       0.0
   D.TRAN-EXCESS STOCK....             0.0       0.0       0.0
   E.OTHER GRANTS.........             0.0       0.0       0.0

III.TOTAL ECON. & MIL...               0.0       0.0       0.0
      LOANS...............             0.0       0.0       0.0
      GRANTS..............             0.0       0.0       0.0
-------------------------------------------------------------------
OTHER US LOANS...........              0.0       0.0       0.0
  EX-IM BANK LOANS.......              0.0       0.0       0.0
  ALL OTHER..............              0.0       0.0       0.0
-------------------------------------------------------------------
ASSISTANCE FROM INTERNATIONAL AGENCIES
                    1980      1981      1982      1946-82
-----------------------------------------------------------------
TOTAL........        0.0       0.0       0.0       242.3
IBRD                 0.0       0.0       0.0       241.8
IFC                  0.0       0.0       0.0         0.0
IDA                  0.0       0.0       0.0         0.0
IDB                  0.0       0.0       0.0         0.0
ADB                  0.0       0.0       0.0         0.0
AFDB                 0.0       0.0       0.0         0.0
UNDP                 0.0       0.0       0.0         0.0
OTHER-UN             0.0       0.0       0.0         0.5
EEC                  0.0       0.0       0.0         0.0
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NAMIBIA*

South Africa administers Namibia, originally under a League of Nations mandate (1920-1966) and since 1966 illegally on a de facto basis. Executive power over the territory rests with the Administrator General, appointed by the South African Government. Beginning in 1980, considerable authority was transferred to an interim three-tier system of elected representatives, dividing governing responsibility between central, ethnic, and local authorities. Throughout 1982, at the central government ("first-tier") level, the Council of Ministers -- a 15-member body drawn from the 50-member National Assembly -- served as the day-to-day executive authority in Namibia, although the Administrator General, as the representative of the South African Government, reserved the power to issue proclamations with the force of law. South Africa retained police, defense, and customs relations powers. The Council of Ministers and National Assembly had authority over all matters not reserved to South Africa, but the Administrator General maintained a veto authority over any of their actions. The Council of Ministers and National Assembly -- never recognized as legitimate institutions by the United States, the United Nations, or the international community -- were dissolved in January 1983, and the Administrator General resumed direct rule.

The "second-tier" authorities -- separate elected bodies representing each of the 12 officially designated population groups except the Bushmen, who are administered directly by the central Government -- exercise semiautonomous authority in areas determined by the Administrator General. Not all of the ethnic authorities have equal power, however, and, under this system, whites prosper disproportionately in comparison with other ethnic groups. The "third-tier" authorities, such as municipal governments and village management boards, are limited to providing local services.

The judicial structure in the territory comprises two overlapping systems -- one for whites, westernized blacks, and persons of mixed race, and one for indigenous African people.

During 1982, the state of human rights in Namibia continued to reflect South Africa's rule of the territory, as well as the effects of continued military hostilities.

Since mid-1966 the South West Africa People's Organization (SWAPO) has sought to force the withdrawal of South Africa from Namibia. SWAPO's efforts have been partly political and partly military, entailing a low-level guerrilla war in the densely-inhabited northern part of the territory along the Angolan border. Martial law is in effect in this region, and there is a substantial South Africa Defense Force presence. SWAPO tends to operate from its main bases in Angola in small-unit guerrilla activities. In turn, the South Africans and the South West Africa Territorial Force engage in local counterinsurgency action inside Namibia and strike periodically and sometimes deeply across the border in an effort to disrupt SWAPO capabilities and infrastructure. The activities of both sides in the conflict have a predictably negative impact on the lives of the people of Namibia. There are persistent reports of intimidation and abuse of the local population by both sides, and civilians are frequently caught in crossfire between the two forces.

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*There is no United States mission in Namibia, and the United States Government has only limited information about the human rights situation there.

1982 was marked by a continuing debate among the Namibian internal parties and the South African Government over elimination of remaining forms of institutionalized discrimination in Namibia. Resumption of direct rule by the Administrator General has left this question unresolved.

The past year also saw continued progress in the diplomatic initiative to bring about a peaceful, internationally recognized settlement in Namibia, begun in 1977 by the five Western members of the Security Council at that time -- the United States, the United Kingdom, France, the Federal Republic of Germany, and Canada. The United States believes that the success of this initiative is central to the positive evolution of human rights in Namibia.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been a number of reports of killings of civilians by untrained special constables used as bodyguards by senior officials in northern Namibia (Ovambo). Particularly grisly photographs of one such killing of an entire family were published in the Windhoek press in September 1982. The motive for such atrocities is commonly reported to be robbery. There have also been reports that SWAPO guerrillas were responsible for the shooting death of a Windhoek farmer in the Tsumeb region in April. The perpetrators of the crime were reportedly shot to death by police in November 1982. During 1982 a number of deaths -- both civilian and military -- were also attributable to land mines allegedly placed by SWAPO.

b. Disappearance

Disappearances in Namibia are a function of the conflict situation, flight from the country, and the operation of martial law and South African security legislation. Incommunicado detentions still occur, and the Government continues to withhold information about detainees, making it difficult to judge their frequency or duration. In 1981 the Government instituted a military draft for all Namibians, black and white, to provide conscripts for the recently constituted South West Africa Territorial Force. There are reports that up to several thousand young Namibians have fled the country to avoid military service.

There are also reports of SWAPO kidnappings of young people to fill their military ranks. Persons sympathetic to SWAPO assert that most young people leave the territory willingly, but this cannot be confirmed. There are also unconfirmed allegations that persons suspected of SWAPO activities are arrested and removed to distant parts of Namibia with no notification to family members.

c. Torture

South African authorities, operating under, inter alia, the Terrorism Act, the Internal Security Act, and the relevant proclamations of the Administrator General, have broad police powers to arrest, detain, and interrogate people. Over the years, there have been a number of reports that South African police and military authorities have abused, mishandled, and, in certain cases, tortured prisoners. These accusations have been supported by local religious leaders, as well as by other visiting clergymen from South Africa, the United Kingdom, and the United States. Churchmen, particularly in northern Namibia, have complained that suspected SWAPO members are subjected by the police to torture, including deprivation of water in desert conditions for periods of up to 30 hours. During 1982 reports alleging widespread torture were issued by the Southern African Catholic Bishops' Conference, the British Council of Churches, and leaders of the South African Council of Churches. In December 1982, Amnesty International issued a report which charged South Africa with torturing prisoners and called for an independent judicial inquiry into reports of the use of electric shock, beatings, and other forms of torture. Verification of these reports is, however, extremely difficult given conditions in the territory and the nature of South African security legislation. There are also reports of similar abuses perpetrated by SWAPO.

Torture has most frequently occurred immediately after arrest and has usually been perpetrated by police irregulars or by members of "Koevoet", a police unit officially described as having a counterinsurgency function. With the announced aim of stopping such incidents, the South African Defense Force established in September 1982, in cooperation with the Ovambo Chief Minister, a special commission to review the behavior of security forces in the northern "operational" area. Although efforts to punish those responsible for torture have been limited, the existence of this commission and the semi-public review of cases referred to it have reportedly improved the behavior of security forces in general. However, in November 1982 two men detained by the police in Kavango died within hours of their arrest.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

As noted above, the civilian population in the "operational"area is subject to harassment, abuse, and intimidation from both sides. South African security legislation (e.g. Terrorism Act, Internal Security Act) has been repromulgated for Namibia by the Administrator General. The Internal Security Act also extends to Namibia the Government's power to "ban" individuals. However, this power is used infrequently. The Vice President of SWAPO is serving his second five-year ban, and is restricted to a township outside Walvis Bay.

The South African Bishops Conference issued a report in May 1982 which detailed allegations of wide-spread atrocities by South African soldiers pursuing guerrillas in Namibia. In one case, a church service in Ondanga was allegedly interrupted by the arrival of two unregistered trucks full of soldiers who proceeded to interrogate and beat the men in an effort to get information on SWAPO activities.

Conditions in established jails and prisons, including the detention center at Mariental, are described by the International Committee of the Red Cross as comparable to those in similar South African facilities. As far as can be determined, prisoners are treated more or less the same, regardless of offense, once in these formal facilities. Most incidents of abuse occur while prisoners are in police custody, immediately after arrest.

e. Arbitrary Arrest and Imprisonment

Several laws and proclamations in effect in Namibia permit arbitrary arrest without access to the courts or to lawyers. It is difficult to estimate the number of people so detained, although several hundred may be held at any one time. Most of these people are alleged supporters of the internal wing of SWAPO, which is allowed to operate as a political party. For example, a number of internal SWAPO officials were detained under Administrator General Proclamation Number 9 for varying periods of time following disorders at a 1981 SWAPO Namibia Day (August 26) rally in Katutura Township, outside Windhoek. Presently, several hundred SWAPO members taken prisoner during the South Africa Defense

Force raid on Cassinga, Angola in May 1978 remain as detainees in southern Namibia. Since the South African Government does not accord these people prisoner of war status, yet cannot convict them of ordinary crimes, they remain in indefinite detention as political prisoners.

Detainees are sometimes freed under "release warrants" which impose restrictions on movements and public statements similar to "banning" under the Internal Security Act. Although the police decline to release statistics on the number of "release warrants" in effect, the practice is believed to be fairly frequent as a form of conditional release.

f. Denial of Fair Public Trial

Under South African law and the terms of martial law in the same areas which inhibit access to civil courts, the right to a fair and public trial is seriously impaired. If a defendant is actually brought to trial, he has the right to and can generally obtain effective counsel, and charges are usually clearly stated at the time of formal arraignment. Since no state of war has been declared in Namibia, those charged with offenses are tried in civil courts, including on charges of violations of the Terrorism Act or the Internal Security Act. As far as can be determined, no SWAPO guerrillas or political activists have been tried by military court.

g. Invasion of the Home

Invasion of the home by South African security forces is still common, especially in the northern "operational" area. The legal requirement for a civil court warrant to search a private home is superseded in many cases by the terms of the security legislation and powers of the military under martial law. In urban areas, surveillance is still common, including electronic surveillance of political activists.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

A series of laws circumscribe individual rights to free speech, press, and association. South African security legislation, which is enforced by the police, prevents publication of material which is embarrassing to the state or which concerns anything defined as a military or security matter, without permission of the pertinent military or police authorities. Such matters include the names of persons detained and the charges against them, if any.

b. Freedom of Peaceful Assembly and Association

The limited freedom of association previously permitted in Namibia for recognized opponents of the authorities, including SWAPO, was sharply curtailed during 1981 with the passage of the "Prohibition and Notification of Meetings Act." This legislation, aimed at curbing SWAPO political activities, requires all political parties in the territory to abjure forever acts of violence or taking up arms to bring about political change. The Act has prevented SWAPO from holding meetings of more than 20 persons and has been applied with similar effect against other parties which also regard themselves as liberation movements.

Namibia has six labor unions. All are registered nationally and are nominally nonracial. However, few union members are black, and, in recent years, there has been little evidence of black labor militancy in Namibia.

c. Freedom of Religion

Although formal recognition of freedom of religion is observed, clergymen from most of the Christian churches represented in Namibia report that they have been harassed because of pro-SWAPO sympathies or statements critical of the South African presence in the territory. One recent case of brutality involving South Africa Defense Force officers and civilians in Ovambo resulted in a court martial in 1982 of at least one Defense Force officer, with other trials pending. However, authorities have still not assigned responsibility for other incidents, including the 1980 bombing of a church printing press in Ovambo or the fire which destroyed an Anglican seminary at Odipo.

There is no provision under the military conscription system, which was instituted in 1981, for conscientious objection to military service.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Freedom of movement in Namibia is restricted to some extent by the various security regulations in effect (curfews, etc.) and the military situation in the north. With the abolition of the pass requirement, however, the system can be said to be less rigorous than that applied in South Africa.

Despite the fact that the South African Government and Namibian authorities no longer formally adhere to a system of exclusive geographic areas for each of the ethnic groups, some measures in pursuit of that objective continue to be undertaken. For example, in 1981 a number of Bushman communities in the Kavango region were, on short notice and against their will, relocated by the South Africa Defense Force.

For practical purposes, travel regulations which the South African Government imposes on blacks and whites in South Africa apply as well to Namibians. Movement between South Africa and Namibia is unrestricted for whites, but controlled for blacks. Movement within Namibia is generally unrestricted. Foreign travel by blacks affiliated with SWAPO is frequently restricted, and internal SWAPO leaders have often appealed to western governments to intercede with the South African Government to obtain passports. Other black Namibians appear to be able to obtain passports for study abroad or political meetings.

In northern Namibia, frequent use of land mines, reportedly by SWAPO, inhibits movement by local inhabitants. Fear of SWAPO has led one prominent non-SWAPO political leader to employ full-time bodyguards.

e. Freedom to Participate in the Political Process

South Africa's administration of Namibia, which includes the exercise of executive power by a South African-appointed Administrator General, severely restricts effective participation in the political process.

Except for restrictions imposed by the "Prohibition and Notification of Meetings Act", there are no curbs on political activities by any political group as such, and even SWAPO remains an active political party in Namibia. However, its internal wing has been largely moribund since 1979, when its entire leadership was detained simultaneously by the South African Government.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The South African Government's ambiguous attitude toward external critics of the republic's domestic policies is reflected in its actions in Namibia. South Africa has allowed critics of its rule in Namibia, such as the Lutheran Council and a commission of Catholic bishops, to travel to Namibia and make contact with the various opponents of the regime. However, the South African Government has taken public exception to some of their more outspoken criticisms; and other groups, such as the American Bar Association, have not been allowed to travel to Namibia. From time to time, outside pressure is heeded, such as in the 1981 commutation of the death sentence of Marcus Kateka, who was convicted of complicity in a SWAPO attack on a white-owned farm. However, in general the security system in Namibia is not responsive to outside criticism.

In its September 1982 briefing paper on Namibia, Amnesty International expressed its continued concern over the use of detention without trial, administrative restriction, allegations of torture, and ill-treatment of political prisoners.

4. Economic, Social, and Cultural Situation

With respect to South Africa's application of apartheid to Namibia, the International Court of Justice recorded in a 1971 advisory opinion that South Africa adopted "restrictive measures of control" establishing "limitations, exclusions or restrictions for the members of the indigenous populations groups..." It found South Africa's conduct "based on grounds of race, colour, descent or national or ethnic origin" to be "a denial of fundamental human rights" and "a flagrant violation of the purposes and principles of the (United Nations) Charter." Since 1971, concrete steps have been taken to eliminate certain of the distinctions referred to by the Court. Restrictions on freedom of assembly and association have been somewhat relaxed, although important legal restrictions still exist which separate persons on racial and ethnic grounds.

There has been some relaxation since 1977 of the strict legal requirement for racial segregation in Namibia. This is the case, for example, in most restaurants and hotels. However, segregation remains the rule in the case of public services provided by the ethnically-based second-tier governments, e.g., health and education, and in public services directly contolled by South African authorities, e.g., the railroads.

In Namibia a highly developed infrastructure exists in conjunction with a traditional African society. While the division no longer fully parallels the racial division in the country, a substantial degree of parallelism continues to exist. This is because key governmental sectors, such as health and education, are under the control of the ethnically-based second-tier governments. As a result, the substantial difference in services provided to black and white Namibians in the past has not been fundamentally changed.

The population of Namibia is between one and 1.25 million, 90 percent black and 10 percent white. The population growth rate was 3.0 percent in 1980. Life expectancy at birth is approximately 50 years, and the infant mortality rate (1980 figure) is 120/1000 live births. Literacy figures are 100 percent for whites and 38 percent for blacks, with school attendance following roughly the same configuration. GNP (1980 estimate) is approximately $1.4 billion, but has been declining since 1978. Per capita income of roughly $1,400 belies the structure of the economy, which is sharply divided along racial lines between those who participate in the modern market sector and those in the traditional subsistence sector. The economic outlook continues to be less optimistic than in previous years. Namibia has been experiencing problems with a long-term drought, over-fishing, and a soft world demand for its three principal mineral resources--diamonds, copper, and uranium.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: NAMIBIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)	0.0	0.0	0.0
B.FOOD FOR PEACE	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
TITLE I-TOTAL	0.0	0.0	0.0
REPAY. IN $-LOANS	0.0	0.0	0.0
PAY. IN FOR. CURR	0.0	0.0	0.0
TITLE II-TOTAL	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY	0.0	0.0	0.0
C.OTHER ECON. ASSIST	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
PEACE CORPS	0.0	0.0	0.0
NARCOTICS	0.0	0.0	0.0
OTHER	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
A.MAP GRANTS	0.0	0.0	0.0
B.CREDIT SALES-FMS	0.0	0.0	0.0
C.INTL MIL.ED.TRNG	0.0	0.0	0.0
D.TRAN-EXCESS STOCK	0.0	0.0	0.0
E.OTHER GRANTS	0.0	0.0	0.0
III.TOTAL ECON. & MIL	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
OTHER US LOANS	0.0	0.0	0.0
EX-IM BANK LOANS	0.0	0.0	0.0
ALL OTHER	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL	0.1	0.0	0.0	5.7
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.1	0.0	0.0	5.7
OTHER-UN	0.0	0.0	0.0	0.0
EEC	0.0	0.0	0.0	0.0

SUDAN

The Nimeiri regime is now in its fourteenth year, having come to power through a military coup in 1969. After being chosen as President in a single candidate referendum in October 1971, General Nimeiri dissolved the Revolutionary Command Council formed at the time of the coup and transferred many of its members and powers to the general secretariat of the newly created Sudan Socialist Union. In 1977, the Sudan Socialist Union chose Nimeiri as its presidential candidate and Nimeiri, as the only presidential candidate, was reelected by plebiscite for a six-year term ending in October 1983.

The President dominates all branches of the Government. In the executive he is de facto Prime Minister, Minister of Defense, and Chief of Staff of the Armed Forces, and has periodically assumed other ministerial portfolios as well. All judges are responsible to him for "proper performance" of their duties. On the legislative side, he exercises executive oversight of the National Assembly through his power to appoint 10 percent of the membership, to convene and dissolve it, to rule by decree during recesses, and to limit legislative inquiry into executive affairs. In 1972, Nimeiri brought an end to Sudan's 17-year civil war by granting the southern region local autonomy. In 1981, Nimeiri reorganized the northern part of the country into regions and delegated considerable responsibility to the regional governments.

In the past year the President has used his wide powers to control the increasingly negative political consequences of the continued economic deterioration of the country. In January 1982, students seized the occasion of the Government's announcement on New Year's Eve of the removal of sugar subsidies to take to the streets. The ensuing violence spread across the country and about 30 people were killed. Though offering to resign, Nimeiri stayed on after meetings with civilian and military leaders. He then replaced his two vice presidents and much of the military heirarchy, and reorganized the Sudan Socialist Union's political bureau and central committee. These changes reconsolidated Nimeiri's political authority, though they did not halt the economic slide.

Sudan's geopolitical importance draws it into the wider issues both of the Middle East and of the Horn of Africa. The most significant threat to Sudan is Libya, whose leader, Muammar Qadhafi, has sworn to bring about Nimeiri's downfall. Libya's signing of the Tripartite Agreement with Ethiopia and South Yemen in August 1981 resulted in increased radical pressures on Sudan. Sudan's relationship with Ethiopia has also been complicated by the presence in Sudan of Eritrean refugees opposed to the Ethiopian government.

In 1977, Nimeiri negotiated a "reconciliation agreement" with much of his opposition and many former opponents who now participate in the Government. In 1982, economic conditions and security considerations led to some infringements, such as the temporary detention of some southern politicians for forming an illegal political party, and the security roundups in Khartoum of "idlers" who have been forced to return to their homes outside the city. The regime tolerates some dissent, though this tolerance has decreased slightly as economic conditions have worsened. Despite the imposition of some restrictions on political expression and activities, the personal rights of individuals are generally respected in Sudan.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no known cases of politically-inspired killings.

b. Disappearance

There were no reported cases of politically-inspired disappearances in Sudan during the past year.

c. Torture

Sudan's Constitution forbids torture. There were no reported cases of officially sanctioned or inspired torture in Sudan within the past year.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The Sudanese Constitution provides protection against cruel, inhuman, or degrading treatment. Constitutional guarantees are widely respected. There has been no evidence of systematic abuse of prisoners. However, in keeping with the stark poverty of the Sudan, prison conditions are spartan. Though black Africans from southern Sudan and refugees complain of unequal treatment, these incidents appear to reflect individual prejudice rather than government policy.

e. Arbitrary Arrest and Imprisonment

The Constitution guarantees habeas corpus and requires a court issued warrant to arrest a citizen. This legal protection, however, does not apply to detentions "necessitated by the exigencies of public security and public welfare." Specifically, the State Security Act of 1975 authorizes detention on security grounds for as long as six months. Estimates of the number of persons detained under this Act are generally unavailable and meaningless since the Act is the legal justification for brief detentions of a few hours and urban roundups of migrants as well as for more serious charges. In May, when seven lawyers were arrested on unspecified charges, the bar challenged the constitutionality of the State Security Act. The Supreme Court upheld the legality of the arrests under the Act but the Government released all seven lawyers within a few weeks.

f. Denial of Fair Public Trial

Public trials by civilian courts are the rule. Defenders have the right to counsel provided at their own expense except for capital and very serious offenses. Sharia law for Muslims and custom/tribal law, especially in the south, are also recognized. However, there has been some erosion of this legal safeguard. In the first half of the year Khartoum authorities continued roundups of vagrants, undocumented refugees, and non-resident Sudanese without respecting legal processes. Also, special "price courts" presided over by military officers empowered to render summary justice (including fines, imprisonment, or lashes) continued to try merchants accused of violating price controls. These public quasi-military tribunals do not apply the rules of evidence required in the civilian court system. Convictions can be appealed, but the requisite written trial records usually are not available.

Security tribunals have sometimes been used in cases involving serious political charges. They convene by decision of the

President of the Republic, on the recommendation of the Attorney General, if the President believes that the activities of the accused represent a clear threat to the state. The tribunals are usually open, but may be closed by decision of the chief magistrate. In 1982 two leaders of the illegal Communist Party were tried for treason under this procedure after secret documents were found in their possession. They were given 5-10 year prison sentences.

The Constitution guarantees the independence of the judiciary but empowers the President to appoint or remove judges at all levels. In recent months Nimeiri has relieved two justices of the Supreme Court, and this action appears to have made lower level judges reluctant to rule against the executive. The military seldom interfere in the judicial process except for the price courts and national security tribunals.

Persons convicted in a provincial court or lesser magistrate can petition to the regional court of appeals and to the Supreme Court. Judgments in special security tribunals are approved by the President before they are announced, and no appeal of a judgment is permitted.

g. Invasion of the Home

The Constitution declares dwellings inviolable and not to be entered or searched without permission of their occupants except in the manner prescribed by law. However, this guarantee was violated during the urban roundups of refugees and southerners early in 1982.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Constitution guarantees freedom of expression. Citizens openly criticize government policies, and they display little fear of retaliation. There is an unwritten understanding, however, that comments must be in the form of "constructive criticism." Any criticism of the President tends to be indirect, aimed either at government policies or the "incompetent" advice and conduct of advisors.

The Government exercises little or no direct prepublication censorship of the press or other media. Nonetheless, journalists customarily avoid sensitive subjects, because in past years a few have been arrested or fired for disregarding the unwritten boundaries. For example, there has been no mention of the return to Sudan of Nimeiri's rival, Ansar leader Sadiq el Mahdi, in September despite the fact that he has a broad following.

The English language press is more independent than the Arabic press. The respected monthly English language magazine "Sudanow," published by the Government itself, includes articles critical of the Government, particularly its economic policies. However, it too has bounds. For example, the magazine covered in detail President Nimeiri's economic austerity measures announced in the fall of 1981 but passed over lightly the violent street demonstrations that ensued in January 1982. There is free access to foreign newspapers, magazines, and books, both Western and Soviet, but circulation of material from abroad is small, and the Government has sometimes removed publications from sale that contain unflattering information about the regime. The Sudanese are open in their private speech. They are not afraid to be openly critical of the Government's policies and are not concerned about being informed on. Wiretapping and mail opening are not practiced except in cases where the Government believes there is strong evidence that national security is involved.

b. Freedom of Peaceful Assembly and Association

Freedom of peaceful assembly was not restricted in 1982. On several occasions, students marched in protest against government policies without interference as long as no property was destroyed. Suspected opposition political figures are watched but there is generally no effort made to prevent their meeting with supporters. One exception to this occurred at the beginning of 1982, when leaders in the southern region of Sudan who were opposed to a plan to split the south into three governmental entities were detained on the grounds they had formed an illegal political party. They were released within a few weeks and remained an active factor in the elections then underway.

The Sudanese Constitution guarantees the freedom to organize labor unions. Labor is officially represented in the Sudan Socialist Union through two federations which are independent of government control -- the Sudanese Workers' Trade Union Federation and the Sudanese Federation of Employees and Professional Trade Unions. Union membership is estimated at about 20 percent of the working population. In both the private and public sectors unions engage in collective bargaining for wage increases and benefits. It is unclear as to what degree the leadership of the two federations represent the opinions of their rank and file, especially members of the more militant unions such as the railroad workers, whose strike the Government broke in 1981. Workers in Sudan have the right to strike and can exercise that right without interference as long as the work stoppage is not viewed as threatening to national welfare and security.

c. Freedom of Religion

Freedom of religion is guaranteed under the Sudanese Constitution. Approximately one-third of the population is non-Muslim, and both Islam and Christianity are recognized as "religions of Sudan."

The influential Muslim Brotherhood, whose leaders include the Attorney General, has pressed for Islamization of Sudanese law. Attempts to expand the jurisdiction of Sharia (Islamic) Courts have stalled in the National Assembly. Marriage, divorce, inheritance, and family law traditionally are governed by the Sharia rather than secular law. While the state gives financial support to mosques and to Muslim educational projects, it does not otherwise discriminate against the large non-Muslim minority. Christian missionaries freely operate educational projects and modest evangelical activities in the non-Muslim south. In the north, evangelist activities are confined to non-Muslims. Any effort to convert Muslims in any part of the country would probably provoke official restrictions.

There are three major Muslim groups which have traditionally been organized along political lines. The largest group is the Ansar, who are descendants of followers of the Mahdi. The Ansar led the bloody 1976 coup attempt. The Muslim Brothers are generally well educated Muslims who seek closer ties to the moderate Arab world. They control the student government at the University of Khartoum. The Khatmiyya is a less structured pro-government political group based on a traditional Sufi brotherhood. Since the national reconciliation of 1977, the Muslim Brothers have participated in the Government and the Sudan Socialist Union. After a short period of participation in government, most Ansar have reverted to a neutral stance. Ansar leader Sadiq al Mahdi, a former Prime Minister, returned to Sudan in late 1982 following several years of unofficial voluntary exile but has remained politically inactive.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Constitutional guarantees of freedom of movement and against deportation and exclusion from the country are attenuated by a 1975 constitutional amendment suspending freedom of movement inside Sudan in cases of national security. The government campaign to reduce the numbers of migrant Sudanese, aliens, and refugees in urban centers has taken advantage of this exception.

The emigration of educated and trained manpower to oil-rich Middle Eastern countries has reached such proportions that the Government has attempted to curb the flow. Specialized university graduates, such as physicians, are under obligation to pay the cost of their education through a fixed term of service within the country. Other categories of personnel in short supply, such as teachers and technicians, encounter difficulty in obtaining exit permits. New regulations issued in 1982 required emigrants to pay up to 2,000 Sudanese pounds to obtain permission to leave; those already abroad must present proof that they have paid an expatriate's income tax of 10 percent in order to return. However, failure to pay does not affect citizenship. Sudan is also negotiating government-to-government labor contracts to control further the exodus.

Sudan also has a major asylum problem as close to 500,000 refugees from neighboring Ethiopia and Uganda have moved to Sudan. Sudan has been a gracious host to these refugees and has worked closely with the United Nations High Commissioner for Refugees and other humanitarian groups in meeting refugees' essential needs. Assistance to refugees has caused some problems with local residents who feel refugees received special help which is not available to non-refugees. Sudan has tried to keep refugees from flooding urban centers but otherwise exerts no pressure on the refugees to return home. Southern Sudanese who fled during the 17-year civil war returned shortly after the conclusion of the conflict in 1972.

e. Freedom to Participate in the Political Process

The Sudan Socialist Union is the only legal political party, but factions which correspond with former political parties operate under the party umbrella. President Nimeiri came to power in a 1969 military coup which also had the support of the Sudan Communist Party. Following a communist-led coup attempt in 1971, Nimeiri dissolved the Revolutionary Command Council and created the Sudan Socialist Union as the sole political party in Sudan. In the 1977 elections Nimeiri was challenged for the Sudan Socialist Union's nomination but Nimeiri won handily and he, as the Union's candidate, was then confirmed by yes-no plebiscite. In 1982, the Union again chose Nimeiri to be its candidate; this time Nimeiri was unopposed. On the national level, Nimeiri has successfully dissuaded most parties and factions from active opposition through his policy of "national reconciliation." The cabinet and party central committee incorporate factions of most political groups. Outside the regime's umbrella are the clandestine Communist Party, the faction of the Ansar headed by Sadiq el Mahdi, and rump elements of several other groups, mostly now in self-imposed exile. Because parties other than the Sudan Socialist Union are illegal, groups like the Ansar and Muslim Brotherhood operate informally but openly to look after their political interests. The Government, at present, actively combats only the Sudanese Communist Party.

Under the Constitution, membership in the Sudan Socialist Union is open to any citizen able and willing to pay nominal monthly dues. The Sudan Socialist Union seeks to include all sectors of society. The Sudan Socialist Union must approve all candidates for both the National Assembly and the regional assemblies, though they need not belong to it. It rejected no candidates in the January 1982 National Assembly elections or in the elections for the new regional assemblies the year before. All candidates must run on non-partisan platforms.

Nimeiri has sought to expand participation in the political process by encouraging decentralization. In 1972, Nimeiri negotiated an end to the civil war by granting the south special regional autonomy and status. A southern regional government was established to handle local issues such as education, culture, and agriculture. Nimeiri expanded the regional government system to the north in 1981. The five new regions in the north established in January 1982 held selections in June 1982 for governor. All the appointed interim governors were reappointed for full terms under a process by which regional electoral colleges selected three candidates for each position, and Nimeiri then chose among them.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Government of Sudan is sensitive to accusations of human rights violations and cooperates with human rights investigations, but frequently is slow to respond. In its 1982 report Amnesty International expressed concern about detention without trial of government opponents, unfair trials, and poor prison conditions. Freedom House in 1982 called Sudan "Partly Free."

4. Economic, Social, and Cultural Situation

Sudan is among the poorest nations in the world, with a population of 19 million growing at the rate of 3.3 percent annually and a per capita Gross National Product of $470. In rural Sudan, 85 percent of the populace lives in conditions of poverty. In the past year, lack of foreign exchange and serious inflation estimated at 30-40 percent have aggravated these difficult economic circumstances. The presence of about 500,000 refugees has been an additional economic drain despite international assistance. Though having great agricultural potential, Sudan is unable to supply 100 percent of the nutritional requirements of its population. Great distances between population and commercial centers and the lack of a viable communication and transportation infrastructure severely retard the exploitation of Sudan's natural and human resources. The problems are particularly acute in the south and the west, which are effectively cut off from the rest of the country for long periods during the year, by flooding.

Medical, educational, and other services are poor outside Khartoum. The World Health Organization, for example, has declared the principal hospital for the southern region one of Africa's worst. Sudanese life expectancy is 46.2 years, and the infant mortality rate is 124.4 out of 1,000 live births. Adequate sanitation is lacking, with half the population unable to obtain safe drinking water.

Schools enroll about 51 percent of primary school age children, with the percentage substantially higher in the cities and much lower in rural areas. Despite cultural barriers to female participation in activities outside the house, the national education system selects through competitive examinations the best male and female students for government-financed higher education. Universities are located in Khartoum, Wad Medani, and Juba; others are projected for the new northern capitals but they remain in the speculative stage.

Racial and cultural differences cause some discrimination. Southern Sudanese, who are mostly Nilotic, complain of unfair treatment at the hands of their fellow countrymen in the north, who are generally Arab. The history of Sudan reflects repeated attempts of the Arab north to control the African south. Until the late 1800's, slaves from the south were an important source of income to the Arabized north. Raids by nomadic Arabized tribes on the more sedentary African tribes are now only history. The negotiated settlement of the civil war greatly helped to ease north-south tensions. Though the hospitality of the Sudanese in receiving refugees has been admirable, they encounter difficulty in finding employment and movement outside refugee camps.

Women are accepted in many professions, but traditional practices are strong outside the cities. Female circumcision is widespread, though laws and government policy prohibit this ancient custom.

The extreme poverty of the nation, the lack of infrastructure and trained manpower, acute budgetary problems, and other problems have limited advancement towards development goals in 1982.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: SUDAN

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	96.4	109.4	151.8
LOANS................	25.0	30.0	25.0
GRANTS...............	71.4	79.4	126.8
A.AID	70.1	74.5	124.9
LOANS................	0.0	0.0	0.0
GRANTS...............	70.1	74.5	124.9
(SEC.SUPP.ASSIST.)...	40.0	50.0	100.0
B.FOOD FOR PEACE.......	26.3	34.9	26.9
LOANS................	25.0	30.0	25.0
GRANTS...............	1.3	4.9	1.9
TITLE I-TOTAL..........	25.0	30.0	25.0
REPAY. IN $-LOANS.....	25.0	30.0	25.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	1.3	4.9	1.9
E.RELIEF.EC.DEV & WFP.	0.7	3.2	0.5
VOL.RELIEF AGENCY.....	0.6	1.7	1.4
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS................	0.0	0.0	0.0
GRANTS...............	0.0	0.0	0.0
PEACE CORPS.......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER.............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	25.4	32.3	101.2
LOANS................	25.0	30.0	50.0
GRANTS...............	0.4	2.3	51.2
A.MAP GRANTS..........	0.0	1.7	0.0
B.CREDIT SALES-FMS....	25.0	30.0	50.0
C.INTL MIL.ED.TRNG....	0.4	0.6	1.2
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS.........	0.0	0.0	50.0
III.TOTAL ECON. & MIL...	121.8	141.7	253.0
LOANS................	50.0	60.0	75.0
GRANTS...............	71.8	81.7	178.0
OTHER US LOANS...........	0.0	1.2	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	1.2	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	199.4	60.4	8.9	865.0
IBRD	0.0	0.0	0.0	159.2
IFC	0.0	0.0	0.3	33.2
IDA	173.0	0.0	0.0	492.6
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	10.3	19.7	8.6	75.8
UNDP	16.0	14.6	0.0	60.3
OTHER-UN	0.1	26.1	0.0	43.9
EEC	0.0	0.0	0.0	0.0

SWAZILAND

The Kingdom of Swaziland is a small developing country located in southern Africa. It is a traditional monarchy ruled by a King with the assistance of a Cabinet and Parliament, and a parallel traditional governmental structure comprised of a Supreme Council of State which advises the Crown, district authorities, and national courts which follow traditional Swazi law and custom.

Having formerly been a British High Commission Territory, the Kingdom attained independence in 1968 with a constitution that provided for a popularly elected Parliament and for the fundamental rights and freedoms of the individual. On the grounds that the constitution had permitted the introduction of political practices incompatible with the traditional Swazi way of reaching decisions, King Sobhuza II decreed its repeal in 1973. He assumed supreme power and governmental decisions thereafter were made by the King-in-Council. The Council was comprised of Cabinet members appointed by the King. Parliament was re-opened in January 1979 with some members chosen through indirect election and others nominated by the King. King Sobhuza continued to be vested with the country's executive authority. He ruled through a Cabinet appointed by himself, and he retained the right to withhold assent to bills passed by the Parliament. King Sobhuza died in August 1982 and the Queen Mother, Dzeliwe, assumed the duties of Head of State and Regent. One of King Sobhuza's adolescent sons is expected to be selected as his successor and become King upon reaching majority. The Swazi monarch's authority is limited in practice by a complex system of traditional rights and responsibilities which requires that it be exercised in accordance with Swazi custom. The judiciary is independent. Despite the absence of a constitution or other written legal safeguards, there has been no systematic disregard by the Government for the rights of the person.

Swaziland has a free-enterprise economy. During 1982 the Industrial Relations Act and sections of the Employment Act came into operation and are expected to contribute to safeguarding the rights of workers.

1. Respect For the Integrity of the Person Including Freedom from:

a. Killing

There have been no known cases or allegations of killings by either official government or opposition political groups.

b. Disappearance

A 1978 law provides that detentions must be made public. Persons are rarely abducted or secretly arrested. They are held clandestinely only in rare instances in which they are believed to be material witnesses in a case under police investigation.

c. Torture

There have been no allegations that torture is countenanced or practiced.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

There is no evidence that persons in Swaziland have been subjected to cruel or degrading treatment or punishment.

The country's main prison includes facilities for teaching manual trades. The health care and diet in the prisons are approximately the same as those available to the general population. Prisoners are allowed visits from family members and from attorneys of their choice.

e. Arbitrary Arrest and Imprisonment

A 1978 law permits the Government to detain any individual for renewable periods of 60 days without being charged. Although the law provides that the fact of such detention shall be made public, no instance of detention under that law has been officially acknowledged until after the detained individuals have been released. Detention is not subject to appeal to the courts, although it may be appealed directly to the monarch. There were no known cases of detention under the 1978 law during 1982. The right to habeas corpus is provided in Swazi courts for all other types of prisoners. Swaziland has no known political prisoners.

f. Denial of Fair Public Trial

The right to a fair public trial is provided for by law and is honored in practice. In "national" (traditional) courts, legal counsel is not allowed, but defendants are heard on their own behalf. In magistrates' courts, which operate under Roman-Dutch law, a defendant is entitled to counsel at his own expense; the crown will provide a court-appointed defense counsel in capital cases. Counsel has free access to defendants within the limits of prison regulations. Harassment of defense counsel by the Government does not occur. Except for detainees under the 1978 law, defendants are made fully aware of the charges against them. They and their lawyers are generally able to inform themselves of the evidence on which the charges are based. The courts are independent of executive and military control. No judge has ever been removed from office by the Government. Appeals from the magistrates' courts may be heard by the high court and all final appeals are heard by the court of appeals which is the highest judiciary body. There are no special courts to deal with security or political offenses and civilians are not tried by military courts.

g. Invasion of the Home

The sanctity of the home is safeguarded by custom and is honored in practice. Swaziland law requires a warrant issued by a magistrate for the search of a home or other premises, except when the purpose of the search would be defeated by delay in obtaining the warrant. Allegations that government officers have illegally entered homes are very infrequent; none came to public attention in 1982. There have been no allegations that the Government practices "bugging" or other violations of the home.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech is not guaranteed by law, but comment critical of the Government is permitted in traditional Swazi councils and in the Parliament which has been increasingly willing to serve as a forum for examination and criticism, where deemed appropriate, of government policies. The Swazi radio and one newspaper are government-owned; Swazi television and a second newspaper are partially state owned; a third newspaper is privately owned. Self-censorship is practiced in the media, most particularly in commenting on the monarch or royal household. The one independent newspaper has reported criticism of the Government and in 1982 started to publish editorials. The formation of a Swaziland National Association of Journalists also took place in 1982. The Government proscribes publications it deems to be prejudicial to the interests of defense, public safety and order, public morality, and public health. In practice, except for material that is obscene or communist oriented, the local and international press circulate freely in Swaziland.

b. Freedom of Peaceful Assembly and Association

The King's proclamation of April 12, 1973, provides that no meetings of a political nature and no processions or demonstrations shall be held in any public place except with written consent, not always granted, of the Commissioner of Police. Except for the prohibitions on political activity, there are no impediments to the freedom of association. There are seven registered trade unions in Swaziland; however, only one is active. There are reports of plans to form new trade unions in the coming year. The Swaziland National Association of Teachers remains dissolved following a government determination in 1977 that it was engaging in political activity. Official consideration is being given to reinstatement of a teachers association. A journalists association was authorized in 1982. On July 1, 1982 the Government placed into operation the Industrial Relations Act which guarantees the right to organize to employees and employers. It also establishes negotiating machinery and a disputes procedure. Employees may strike and picket.

c. Freedom of Religion

Although there is no law on the subject, Swaziland is traditionally hospitable to all religious beliefs. There is no state religion and religious groups are not persecuted or harassed.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Freedom of internal travel is guaranteed by custom and is respected in practice. Swazis may obtain with relative ease a travel document valid for travel throughout the southern African region. External travel outside of southern Africa requires a passport, which can take considerable time to obtain, and which the Government denies if it deems the applicant's proposed travel to be prejudicial to its interests or if the applicant has no apparent means of support for the proposed period of absence from Swaziland. Passport fees are not excessive. The right of return is granted to all Swazi passport holders but is almost universally denied to refugees who leave Swaziland on United Nations travel documents. Some residents of Swaziland, especially those of mixed ethnic background, have experienced serious difficulty in obtaining official determination of their citizenship status but this problem may be somewhat resolved by a new Swazi citizenship bill which was published in 1982 but has not yet come into force.

Swaziland does allow refugees from neighboring countries to enter the country. Refugee and asylum policy is governed by the Refugee Control Order of 1978. Sections of this Order are not consistent with the UN Refugee Convention and Protocol, of which Swaziland is a signatory. There are about 7,000 refugees from the Republic of South Africa living in rural resettlement areas in Swaziland and an additional 400-500 living in urban areas. Swaziland has also accepted approximately 50 refugees from Mozambique. Small numbers of South African refugees transit Swaziland on their way to third countries. Few Swazis have fled their own country. In general, refugees are adequately treated by local standards. No involuntary repatriation of refugees is known to have taken place in 1982.

e. Freedom to Participate in the Political Process

Freedom to participate in the political process does not exist in the sense understood by modern international standards. There is participation expressed through traditional structures and customs. Swaziland is a traditional monarchy and the King is the Head of State. In 1973 King Sobhuza repealed the 1968 Independence Constitution, suspended meetings of Parliament, and assumed all governmental powers. In 1977 he announced the expiration of terms of office of Members of Parliament.

In January 1979 a new Parliament, chosen partly through indirect elections and partly through direct appointment by the King, was convened for the first time. The new Parliament consists of a 50-member House of Assembly (40 chosen through indirect election and 10 directly appointed by the King) and a 20-member Senate (10 chosen through indirect election and 10 appointed by the King). Any legislation passed by the Parliament must be approved by the King before it becomes law. Executive authority is exercised by a Cabinet presided over by a Prime Minister (Head of Government), who is appointed by the King from among the Members of the Lower House of Parliament.

The Judiciary consists of a Court of Appeals, a High Court, and various subordinate and traditional courts. Members of the Court of Appeals and of the High Court are appointed by the King.

Parallel to this modern government structure is a traditional structure consisting of a liqoqo (advisory council to the King), traditional courts, and 40 tinkhundla (regional councils).

In keeping with Swazi traditions of government by consensus, all political parties are banned in Swaziland.

Since the death of King Sobhuza in August, the country has been governed by a Queen Regent and the liqoqo. The appointment of a new King is expected to be announced soon.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Government of Swaziland does not normally respond substantively to inquiries of representatives of human rights groups concerning the welfare and whereabouts of individual political detainees. There are no organizations based within the country that observe, report, or contest human rights violations. In 1982 no outside person or team is known to have sought the Government's permission to undertake an investigation of alleged violation of human rights; however, Amnesty International's 1982 report expressed concern about the use of detention without trial. The 1982 Freedom House report rated Swaziland as "partly free."

4. Economic, Social, and Cultural Situation

Swaziland has a free-enterprise economy characterized by a division between a modern sector dominated by large export-oriented firms which are frequently foreign owned and a traditional sector which comprises about 80 percent of the population. During the 1970's Swaziland's real per capita gross domestic product (GDP) grew by 4.6 percent per year, and its average annual per capita growth in agricultural production was the highest in sub-Saharan Africa. Gross national product per capita in 1981 was estimated to be $840. These figures, however, do not properly reflect the true status of the typical Swazi who lives in the rural areas and practices subsistence agriculture. Most of the traditional households have some members working in the modern sector who provide regular remittances. The World Bank estimates that approximately 50 percent of the total population, however, is below the absolute poverty level. Unemployment is a serious problem and is growing. Of the nearly 9,000 students who leave the school system each year, approximately 2,000 are forced to return to traditional rural activities after failing to find wage jobs. Swaziland's population of about 585,000 grows at an annual rate variously estimated between 2.6 percent to 3.4 percent. This phenomenon places even greater strains on the limited land resources and further contributes to the rising unemployment.

About 60 percent of the land is held in trust for the Swazi nation by the monarchy; this "national" land is occupied largely by traditional farmers. Traditional land tenure makes it difficult for many people to acquire land, to consolidate holdings, or to get bank loans. Still, there are very few cases where people on national land have lost their usage rights and people have shown willingness to invest in structures and equipment on national land. The non-national land is individually titled and is primarily foreign owned. The right to own property is guaranteed by law.

In order to encourage local employment, the Government has made it increasingly difficult for some categories of foreign workers to acquire work permits.

The Employment Act of 1980 forbids employers to discriminate between employees based on race, religion, sex, marital status, or political affiliation. It requires equal pay for equal work. There are provisions covering the employment of children, providing maternity leave, and special provisions for domestic employees. Legally, women are not discriminated against in the job market, but in practice discrimination does take place. An element in the income tax law, which taxed married women more than married men, was partially removed in 1982.

The ability of Swazi women to deal with the problems of a developing society is hampered by both legal and cultural constraints. Traditional values are a major influence on the role of women in Swazi society. Women are in some cases not legally equal to men and a married woman is virtually a legal minor. A married woman is not responsible for contracts she signs, nor can she own real property or inherit property under normal circumstances. A married woman must obtain her husband's permission to borrow money, to leave the country, and often to take a job. A divorced woman has no right to the custody of her children, although she may have to care for them with no support from their father. A small and slowly growing number of women are beginning to participate in social, economic, and political life outside their traditional fields of teaching, nursing, and clerical work. In addition, there are more women instructors than men at nearly all levels and in nearly all types of educational institutions including the university.

Swaziland's adult literacy rate is 65 percent and its primary school enrollment is nearing 100 percent. Standards, however, are low and are declining because emphasis is on quantity at the expense of quality. The pass rate for the Cambridge Overseas School Certificate (COSC or high school completion exam) has been dropping since the early 1970's and is currently only 26 percent.

Because of a lack of clean, disease-free water, inadequate sanitation and government emphasis on curative rather than preventive medicine, the health status of the population is poor. The infant mortality rate (135 per 1000 live births), the child mortality rate (27 per 1000) and life expectancy (47 years) are among the worst for all lower-middle income countries. The number of people per physician or nurse, however, is reasonably good, and the society is able to provide an estimated 99 percent of essential calories per person. Health care is provided through a system of government hospitals and clinics and by medical installations operated by private companies and religious missions.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: SWAZILAND

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	9.0	11.5	10.0
LOANS..............	2.6	0.0	0.0
GRANTS..............	6.4	11.5	10.0
A.AID	7.5	9.7	8.7
LOANS..............	2.6	0.0	0.0
GRANTS..............	4.9	9.7	8.7
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.2	0.6	0.0
LOANS..............	0.0	0.0	0.0
GRANTS..............	0.2	0.6	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL..........	0.2	0.6	0.0
E.RELIEF.EC.DEV & WFP.	0.2	0.6	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	1.3	1.2	1.3
LOANS..............	0.0	0.0	0.0
GRANTS..............	1.3	1.2	1.3
PEACE CORPS.......	1.3	1.2	1.3
NARCOTICS.........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS.........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	9.0	11.5	10.0
LOANS..............	2.6	0.0	0.0
GRANTS..............	6.4	11.5	10.0
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	11.6	12.7	7.0	137.6
IBRD	10.1	10.0	0.0	60.7
IFC	0.0	0.0	0.0	3.5
IDA	0.0	0.0	0.0	3.4
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	27.6
UNDP	1.1	0.7	0.0	11.4
OTHER-UN	0.4	0.0	0.0	2.0
EEC	0.0	2.0	7.0	19.0

TANZANIA

Tanzania is a socialist state with a legal and parliamentary system originally patterned on the British model. Zanzibar enjoys a considerable degree of autonomy, and its legal system differs in some important respects from that of the mainland. The one political party exercises a pervasive influence from the national down to the neighborhood levels. No legal opposition is permitted. Within this system, there is universal adult suffrage, and there are elements of democratic practice. Incumbents of seats in parliament have frequently been voted out of office. In practice, the offices of president and party chairman have been held with only a brief interlude since independence in 1961 by one man, Julius Nyerere, who has run unopposed in four elections.

Tanzania is a poor country, largely dependent on foreign aid for development. The overriding objective stated by the Government is to secure the well-being of the largely rural population through socialist economic policies and political education. The ever-worsening state of the economy has led to a significant increase in the level of corruption throughout the public and private sectors, and the government and party-controlled press and the public are encouraged to criticize freely in this area. However, questioning the basic premises of national policy can be done only in private or within the party framework. What the press reports and how it is treated are subject to strict control.

Tanzania's national and party constitutions both guarantee equal rights to all citizens regardless of sex, race, ethnic group, religion, or status. Custom and tradition have operated in many cases against the Government's policy and efforts to ensure equality. Torture is not sanctioned, and police officials have a number of times been successfully prosecuted and sentenced to stiff terms of imprisonment for torture and abuse of prisoners. Forced labor by convicted felons and compulsory work on communal farms are still practiced, and there are a number of persons being held without trial on presidential order, largely for "economic sabotage."

1. Respect for the Integrity of the Person, including Freedom from:

a. Killing

There is no indication of killings for political motives. There are regular reports of thieves being beaten or stoned by mobs, and stories of the murder of suspected witches. The police are often ineffective in controlling violence in these cases. Clove smuggling is a capital offense in Zanzibar, although there is no record of such a sentence having been carried out.

b. Disappearance

Arrests under the Preventive Detention Act are discussed in Section (e). There is no indication of abduction by official or quasi-official security groups. The Government is lax about notifying relatives and consular representatives of arrests, partly because of poor communications and partly because many upcountry police officials are not aware of their responsibilities.

c. Torture

There have been reports of incidents of torture, abuse, and brutality by individual police, security, and prison officers, but the practice is not condoned by the Government. In 1980 a number of senior police and security officers were sentenced to prison sentences ranging from five to eight years in a case involving the death of several suspects under torture in the course of an investigation. The trials were fully covered in the press, and two similar allegations reported in 1982 were promptly investigated. In one case nine officers were put on trial for the death of a suspect under interrogation, but were found not guilty. Such incidents appear to be random rather than systematic, and have declined in number since the 1980 convictions. Reports of rough treatment of prisoners, rather than torture, are more common, and have been substantiated from time to time by reliable diplomatic sources.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Tanzanian prisons are crowded and dirty, and dietary and health standards are inadequate. Amnesty International reports that in November 1981 over 20 prisoners in Molo Prison were hospitalized with severe eye complaints as a result of nutritional deficiencies; two of these were permanently blinded. Conditions in the prisons appear to reflect the country's poverty, rather than intentional degradation of prisoners. There is no evidence of discrimination against particular classes of prisoners, although there are recurrent rumors of maltreatment of prisoners of "Asian," that is, Indian and Pakistani, origin. Forced labor, usually agricultural, is required of convicted felons. In September 1981 five prisoners awaiting trial refused to work, since they had not been convicted, and were admitted to hospital after a week's denial of food and water by prison authorities. The initial report on local radio was withdrawn by the government news agency, which refused to discuss the matter with foreign reporters.

e. Arbitrary Arrest and Imprisonment

Under the Preventive Detention Act of 1962, police and security officers can, with a written order from the president, arrest and detain indefinitely any person considered dangerous to public order or national security. Such detainees have no recourse to the judicial system once the authorities present a valid detention order to a magistrate. There have been cases where the detainees have been freed when the authorities could not produce the order. Under the Act, a committee was established to oversee the treatment of detainees; the committee reportedly meets only sporadically. The Act further requires that the detainee be informed of the reasons for detention within fifteen days of the arrest, to give him or her an opportunity to appeal in writing to the president. This is rarely done. Two prominent businessmen involved in a major corruption scandal have been held in detention since January 1981. One is reported to be seriously ill. One of the two appealed for release to the high court in September 1981 on the grounds that he was not informed of the reasons for his detention until eight months after his arrest; the court turned down the appeal because the presidential detention order, issued the day after the arrest, followed correct legal procedures.

Reliable figures on the numbers of detainees are unavailable. Estimates vary from 100 to 1500. A majority are being held for economic offenses (corruption and black marketeering), poaching and cattle-stealing, and detainees are normally held for two to three years without trial. It appears that the Government has chosen to use the Preventive Detention Act in some instances rather than press criminal charges because of frustration with the workings of the court system. There are perhaps five former members of "national liberation" organizations being detained and fifteen Ugandan prisoners of war are still in prison. There has been at least one case of a person held on criminal charges who was released on court order and promptly rearrested under the Preventive Detention Act. Prominent members of the Tanzanian legal profession and judiciary publicly called this year for review and possible repeal of the Act, which they felt was being overused and was a clear threat to the civil liberties guaranteed by the Constitution.

The law requires that a person arrested on criminal charges appear before a magistrate within twenty-four hours to be charged; the prosecution may ask that the accused be remanded for fourteen days without bail, and may request extensions of the remand. In August 1982 the Tanzania Legal Corporation won the release on bail of seven persons accused of theft of public funds. They had been held uncharged since May. It is common for suspects to be held up to a month without being charged. One man was awarded substantial damages this year for wrongful detention for sixteen months. He had been detained and charged three times on trumped-up charges by a police officer holding a personal grudge against him.

In April 1981 ten Zanzibaris detained under the Act for an alleged plot to overthrow the Government were released; the remaining six were released in October 1981. The Government of Zanzibar recently announced an intensified crusade against corruption, and plans to form uniformed "youth brigades" to seek out individual black marketeers, and search shops for contraband without a warrant.

f. Denial of Fair Public Trial

The mainland legal system is based on the British colonial model, with modifications to accommodate customary and Islamic law in civil cases. Criminal trials are open to the public, and the more sensational are covered by the press. While an independent judiciary is constitutionally mandated, some members of the legal community, including judicial officers, have complained that the legal system is being corrupted through professional inducements and illegal monetary payments to officers of the courts. Although the allegations remain largely undocumented, there is at least one confirmed report of a magistrate demanding a bribe to issue a court order. There has been no suggestion that the Court of Appeals and the High Court are corrupt. Judges are appointed by the Executive with the advice of the Chief Justice. Parliament can pass retroactive legislation undermining court decisions where decrees passed have not yet been executed; there have been no reports that this has been done. In all serious cases on the mainland (treason, murder, and manslaughter) public counsel is available to defendants. The Tanzania Law Society offers free assistance, subject to a means test. Tanzanian lawyers have protested a Government proposal to, in effect, nationalize the legal profession, arguing that such a move would deny litigants the right to choose counsel freely. The proposal is still under consideration.

There is no evidence of political pressure being brought to bear on the judiciary, although there have been a few reports of minor Government harassment of attorneys in controversial cases, and individual Government employees are said to have on occasion used their office to attempt to influence decisions. The High Court has asked magistrates to report any such attempts. Military courts do not try civilians, and there are no security courts. Defendants in both civil and military courts may appeal decisions to the High Court.

The legal system on Zanzibar (which has considerable autonomy) is entirely different. The state presents a case, acting both as prosecution and defense. In most cases Zanzibaris assume that once the state has opted to bring charges against an individual the verdict is a foregone conclusion.

g. Invasion of the Home

A magistrate's warrant is required for entry into private residences in most cases, but provisions are made for police to search without a warrant in urgent cases, and this often occurs. There are frequent allegations of forced entry, search, and harassment of persons suspected of economic crimes. In one case in 1982 armed Tanzanian militia accompanied members of a South African liberation group in search of a Sikh temple. It was suspected that two foreign tourists, possibly harbored by the temple, were spying on the liberation group. There is no evidence of bugging or similar violations by Government authorities.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These freedoms are limited in practice. The mainland Government owns one English-language daily newspaper, the National Press Agency and the radio on the mainland. The Zanzibar Government also operates independently a radio and a TV station. The Swahili-language daily paper is owned by the Chama Cha Mapinduzi (CCM), Tanzania's sole political party. There is one private fortnightly paper which covers largely religious news. The official media, as organs of the state, usually present a single point of view on important policy matters, and do not criticize the overall socialist doctrine or foreign policy. The Government has encouraged increasingly free criticism by the media of corruption and mismanagement, and several stories have resulted in the dismissal of senior officials. Both papers publish frank letters to the editor from the public, which are often highly critical of abuses of the system. The press and TV on Zanzibar have committies which review material provided by foreign sources for political content. Such material is on occasion printed and labelled as paid political advertising. There is no daily supervision of the media; editorial policy is set by the Government or party and clearly understood. There are occasional editorials provided by the president's office. Tanzanian citizens show no inhibitions over expressing criticisms of the system in private conversations, and there is little apparent attempt at control of such criticism. Although academic freedom of enquiry is officially guaranteed, in practice most academicians, relying on the Government-run educational system for their livelihood, are limited in their exploration and treatment of sensitive subjects. Commercial import of books and periodicals is limited by the shortage of foreign exchange, and most Tanzanians cannot afford to buy those that are available. Material written by civil servants must have Government approval before publication. A highly critical pamphlet printed by a church-owned press was widely distributed in 1981 and was reviewed, albeit negatively, in the official newspapers. Distributors of anti-Government pamphlets were threatened with prosecution earlier this year in Zanzibar. There is no confirmation that anyone was actually charged.

b. Freedom of Peaceful Assembly and Association

These freedoms are also sometimes constrained. All legal political gatherings are organized by the party or its sub-groups. In 1978 a large number of students at the University of Dar es Salaam were expelled for participation in a peaceful demonstration against Government policies; most were later reinstated. There have been no demonstrations at the University since. Most students are afraid to jeopardize their futures by public criticism of policy. In late 1981 a number of students at the Institute of Development Management were suspended for taking part in a demonstration. The student union was dissolved by the Government, and three student leaders were expelled.

There is one labor union, which is run by the Government; no other unions may operate. Strikes are prohibited by law. All businesses and Government offices with more than a few employees are required to have a union chapter, and at the local level the union is charged with promoting employee welfare. It has little influence on labor policy. Few professional associations exist, and those that do are carefully non-political.

The International Labor Organization (ILO) remains concerned about forced labor in prisons and several ordinances requiring work by adults in communal agriculture and development projects. At the request of the Government, in April 1982 the ILO submitted specific proposals for amending this legislation which is under study and may lead to changes in 1983. In March 1982, 141 villagers were taken to court for failure to work on the village communal farm; most were fined or given short jail sentences. The ideological basis for the Tanzanian state is such that the requirement for contribution to group projects is unlikely to change.

c. Freedom of Religion

Tanzania is an essentially secular society which permits complete freedom of religion. The population of the mainland is approximately half Christian, half Muslim, sometimes intermixed with traditional animist practices, with considerable regional variation in degree. Zanzibar is almost entirely Muslim. There appear to be no advantages or disadvantages attached to membership in any faith on the mainland. While there has been a degree of controversy in Zanzibar over state support of certain mosques, Zanzibaris are generally free to practice their faith without interference. The Ibadhis, who are very few in number and almost identical in belief with the majority Sunni sect, are not permitted to have their own mosques but are expected to worship in the same buildings as other Zanzibari Muslims. It is not known whether there are other restrictions on Ibadhi religious printing or courts. Some non-Muslim Zanzibaris perceive an element of discrimination in favor of Muslims with respect to advancement within the isle's Government.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Apart from requirements for travel documentation between Zanzibar and the mainland, the Government places no restriction on travel within the country nor are there any formal limitations on freedom of residence. Zanzibaris are required to get party clearance as well as travel documents to leave the island. Police roadblocks to prevent smuggling are common, particularly in border and grain-producing areas. City dwellers are stopped regularly by police who check for proof of employment. Beggars and the unemployed are forced to return to the countryside, in an effort to control increasing pressure on urban resources and to prop up declining levels of agricultural production. Sixty refugees were removed from Dar es Salaam to a camp upcountry under police escort last year. Under the "Villagization Program" during the 1970s six million peasants were compelled, in some cases by force, to move to consolidated villages and required to contribute labor to communal farms. Although the Government continues to return beggars and unemployed persons to their homes and there are regulations limiting the movement of peasants from their villages, in practice the restrictions are loosely enforced and ineffective. Both herders and agriculturalists move over wide areas of the country without much interference.

There are no restrictions on repatriation. The recently enacted Extra-Territorial Jurisdiction Act empowers the courts to try Tanzanians who commit offenses outside the country. There are no indications yet as to in what sorts of cases the Act will be used. Passports are required for foreign travel and can be difficult to obtain. Travellers must obtain tax clearances and approval from the central bank to buy tickets. Although the Government claims that restrictions are aimed solely at conserving limited foreign exchange, the requirement for detailed information on sponsors abroad in cases where tickets are prepaid indicates an intent to monitor the increasing transfer of assets out of the country and an effort to identify individuals involved in illicit currency transactions. Emigration is theoretically free; in practice, those planning to emigrate are subject to intense scrutiny by police and tax authorities, in some cases to the level of harassment. Although it is legally possible for citizenship to be revoked, there have been no reports recently that this has been done. Tanzania has an excellent record in regard to refugees. There is a refugee population of about 190,000, of whom approximately 75 percent are from Burundi, the rest mainly from Zaire. Some 30,000 Rwandans were naturalized in 1980, and the same offer of citizenship is expected to be made to the Burundians within the next year or two. In general the same services and rights available to citizens are offered to refugees insofar as local resources permit. South African refugees who entered Tanzania as members of "liberation groups" are in a different category; those who resign from their organizations are refused work and residence permits, and several have been imprisoned.

e. Freedom to Participate in the Political Process

Political activity is forbidden except within the CCM, the single, ruling party of Tanzania. The party is omnipresent. President Nyerere controls the party structure and bureaucracy, and is the dominant force in the country. Advancement within the Government and admission to university are at least partially dependent on good standing in the party. There are no overt opposition groups. It is an offense under the penal code to excite disaffection against the Government. One-half of the parliament is chosen in elections that are free only in a limited sense. The rest is appointed by the Government and the various "mass organizations" associated with the CCM. Any citizen is free to enter the primary contests. The National Executive Committee of the CCM chooses two candidates from a list provided by each constituency to compete in the general election. Following recent changes to the party constitution, candidates will be rank-ordered on the ballot according to their party record. Party membership, and hence active participation in the political process, is not open to anyone engaged in private business or associated with "the practices of capitalism or feudalism;" this includes landlords and directors and shareholders of private companies. The restriction is not uniformly applied, but serves as a mechanism of control over party members. The business community consists largely of Asians, and is generally not part of the party structure.

Voters can and do register dissatisfaction by sending incumbents down to defeat. Tanzanian voters, in response to worsening economic conditions and seeming government inability to effectuate change, voted out of office over half of the 84 members of parliament who stood for election in 1980. Previous parliaments have largely rubberstamped legislation prepared by the ministries; this year the new parliament redrafted several major pieces of legislation, and the finance bill was passed on a roll-call vote of 56 to 54 only after considerable debate and reworking. Julius Nyerere has run unopposed in the four elections since independence. While voters have the option of voting "no" by secret ballot or staying at home, local party officials do bring pressure to bear in elections to ensure a high turnout. There have been frequent allegations of election fixing and intimidation of village leaders both on the mainland and on Zanzibar. In an effort to break down ethnic and linguistic distinctions, the election code requires that campaigns be conducted only in Swahili, and prohibits references to ethnic and regional origin. An appeal process is available to candidates who feel that the code has been violated, and a number of appeals have been successful. The results of one election in which the incumbent had conducted a campaign of sexist and ethnic slurs against his opponent were overturned by the High Court; there were clear indications in the case that the ballot box had been stuffed.

Women have been encouraged to take an active role in politics and government. Using its powers of direct appointment, the Government has ensured that about 20 percent of the membership of village councils is female. In mid-1982 there were two women cabinet ministers and four women on the thirty-member Central Committee of the CCM. Traditional attitudes towards women have acted against their representation in the system in proportion to their numbers.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Tanzania is a party to the two UN covenants on human rights, and has signed the OAU Convention on Human Rights, but has not yet ratified the latter. The ILO has a number of times raised the issue of forced labor with the Tanzanian Government. Amnesty International's 1982 report noted Amnesty's continuing concern about detention under the Preventive Detention Act. Some of the detainees about whom Amnesty has in the past inquired have been set free. Counsel for defendants in controversial cases are said to have on occasion experienced some minor harassment, such as deliberately conspicuous surveillance and crude attempts at compromise. Individuals can appeal to the Permanent Commission of Enquiry, established in 1965 as a balance to the possibility of abuse of power in a one-party state, for investigation of violations; last year several missionaries who had called for an investigation into illegal confiscation of Masai cattle by local authorities were arrested and questioned, but released unharmed.

4. Economic, Social, and Cultural Situation

Tanzania is among the poorest countries of the world, with a 1981 per capita Gross National Product (GNP) of $300.00. More than 90 percent of the population of 19.9 million are peasant farmers living in rural areas. The official population growth rate was 3.3 percent in 1980; the current Government estimate is 3.4 percent. Unemployment and underemployment are causing serious social problems in the cities.

There are no reliable figures available for the percentage of the population living below the absolute poverty level; last year's figures (10 percent of the urban population and 60 percent of the rural population) appear very low for the city dwellers, who are much more dependent on earned wages than the rural population. Estimates of the minimum needed to support a family of four vary from 50 percent to 150 percent above the statutory minimum wage. About $500 million is budgeted for development programs in 1982/3, some 26 percent of the total budget. $400 million of this figure is in the form of foreign aid grants and loans.

Social services, while limited, are available to all. Although secondary and higher education are theoretically open to all citizens on the basis of merit, in practice tradition and social attitudes have seriously limited the participation of women beyond the primary school level. The Government actively encourages and recruits those women who make it through the system, and continues to make genuine efforts to increase female enrollment in secondary schools and institutions of higher education. Concessions to customary and Islamic law have perpetuated discriminatory restrictions on inheritance and ownership of property by women in many parts of the country. Although the practice is declining, female circumcision is still performed by some 20 of the country's 200 ethnic groups, and there has been no attempt by the Government to abolish the practice. The Asian community, estimated at 50,000, is both culturally exclusive and a business-oriented minority in a socialist society. Although Government policy is one of equal rights for all citizens, reports of harassment and discrimination against the Asians by individual Government officials are widespread. The Asian community bore the brunt of the 1971 nationalization of private property, in many cases with inadequate or no compensation.

The economy overall has suffered from worldwide inflation, rising energy costs, declining prices for export crops and a drop in production in the export sector as well as a decrease in the output of manufactured products, primarily due to an inability to finance imports of raw materials and spare parts. Government pricing policies, designed to keep consumer prices low, have contributed to a decrease in the growth of cash crops by producers, and the spread of an increasingly active alternate economy. Three years of drought have curtailed harvests, and severe food shortages have been prevented only with assistance from grain-surplus countries, including the United States. The Government has undertaken ambitious programs in maternal and child care and public education in nutrition.

The Government has also continued efforts to expand education and health facilities, and has recently expanded plans for programs for the elderly. Since the institution of free and compulsory primary education for all in 1977, virtually all children of primary school age are enrolled. There has been criticism of the quality of education which the children are receiving, and of the severely limited number of places in secondary schools and university. Adult education is available and encouraged. Statistics on the effects of the 1977 Act on the literacy rate are not yet available; according to the most recent information adult literacy stands at 66 percent. The Government places a high priority on medical care, and dispensaries, clinics, and hospitals have been opened throughout the country. There are serious shortages of trained medical personnel, supplies, and drugs, and, although a genuine effort is being made to improve standards, health care is still inadequate for the needs of the population. Community health programs designed to provide safe drinking water, adequate sanitation and the eradication of disease-bearing pests have also been established, although malaria, bilharzia, cholera, and various enteric diseases are still prevalent. Infant deaths from measles are common. Since independence in 1961, life expectancy has risen from 42 to 51.6 years. Infant mortality stands at 185 per thousand live births. Malnutrition and the resulting lack of resistance to disease are a major factor in infant deaths. Thirty-nine percent of the population now has access to clean water, roughly six times the percentage at the time of independence.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: TANZANIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	25.2	37.2	19.6
LOANS...............	7.5	19.3	5.0
GRANTS..............	17.7	17.9	14.6
A.AID	14.9	21.7	10.6
LOANS...............	0.0	11.8	0.0
GRANTS..............	14.9	9.9	10.6
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE........	10.0	14.8	7.6
LOANS...............	7.5	7.5	5.0
GRANTS..............	2.5	7.3	2.6
TITLE I-TOTAL..........	7.5	7.5	5.0
REPAY. IN $-LOANS.....	7.5	7.5	5.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	2.5	7.3	2.6
E.RELIEF.EC.DEV & WFP.	0.6	4.6	0.9
VOL.RELIEF AGENCY.....	1.9	2.7	1.7
C.OTHER ECON. ASSIST...	0.3	0.7	1.4
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.3	0.7	1.4
PEACE CORPS.......	0.3	0.7	1.4
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	25.2	37.2	19.6
LOANS...............	7.5	19.3	5.0
GRANTS..............	17.7	17.9	14.6
OTHER US LOANS..........	0.0	1.7	0.0
EX-IM BANK LOANS.......	0.0	1.7	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	148.9	14.4	22.0	1074.0
IBRD	0.0	0.0	0.0	317.2
IFC	0.0	0.0	0.0	7.2
IDA	134.5	0.0	0.0	572.3
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	9.7	13.8	8.6	75.6
UNDP	4.7	0.6	0.0	55.7
OTHER-UN	0.0	0.0	13.4	41.0
EEC	0.0	0.0	0.0	5.0

TOGO

Togo's Government is firmly centralized with power in the hands of President Gnassingbe Eyadema, who is also head of the army and the one legal political party, the Rassemblement Du Peuple Togolais. The dominance of the executive was institutionalized by the Constitution of the Third Republic adopted by national referendum in 1979, which also provides for a legal system under the strong influence of the executive branch. Participation in Togo's political process is permitted only through the single recognized political party.

Togo is a poor country and its economy is experiencing the restraints currently familiar to countries exporting a few primary products that do not include petroleum. The Economic and Social Council of the UN recommended this year that Togo be added to the list of least developed countries. Togo's economy is a mixture of public and state enterprises with a very active local private trading sector accounting for approximately 35 percent of GDP.

Togo's current legal code and judicial procedures are based on French and local legal traditions and include little protection of the integrity of the person. Writ of habeas corpus is not recognized, there is no specific law prohibiting torture, and the judiciary is not independent of the executive branch. Human rights practices are influenced by real and perceived security conditions and are to that extent arbitrary. Thus, it is difficult to predict trends of human rights in Togo. Nevertheless, increasing governmental efforts to develop a constructive and respected role in international fora have been accompanied by greater sensitivity to human rights concerns. Parallel to this is an increasing awareness of international human rights standards and practices among Togo's educated elite and members of the judiciary, which has led the Government of Togo toward improved human rights practices in 1982.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

As far as can be determined, there have been no killings in Togo for political motives either by the Government or by opposition political organizations.

b. Disappearance

There are no reports that people have been abducted, secretly arrested, or held in clandestine detention by official or quasi-official security forces, or by elements whose activities are condoned by the Government of Togo. Political arrests in Togo are routinely handled by the Gendarmerie Nationale, which is under the control of the presidency, and to a lesser degree by the military, in accordance with Togolese law. The Surete Nationale, a police force with fairly high standards of efficiency and honesty, is rarely engaged in political detentions.

c. Torture

There is no Togolese law which specifically prohibits torture, although Togolese authorities have been enjoined by President Eyadema from torturing detainees. Some released prisoners claim to have been beaten. Allegations have been made that some prisoners have been subject to electric shock and some trial defendants have alleged their confessions to the police were obtained either by threat or application of physical coercion. These allegations have not been confirmed.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Prison conditions in Togo are harsh. Lome's central prison is crowded, and facilities are rudimentary with limited space, light, and ventilation. Food and medical care are adequate by local standards. With regard to facilities outside Lome, reports describe overcrowding, poor sanitation and hygienic conditions, and inadequate food. However, families are allowed to visit and to provide food. Only military and para-military personnel are normally granted access to Togo's three military prisons in Lome, Lama Kara, and Temedja. Unconfirmed reports describe forced marches, hard labor, and beatings imposed on prisoners there.

e. Arbitrary Arrest and Imprisonment

The Togolese legal system does not include the writ of habeas corpus, and this right does not exist in practice. Detention without trial or administrative detention is used in Togo against those whom the Government considers guilty of "crimes against the public trust" (i.e. corruption) or political opposition. Detainees held in administrative detention cannot usually obtain redress through the courts. Preventive detention has no fixed term. In practice, prisoners accused of non-political crimes are usually held for no longer than 48 hours prior to indictment or provisional release pending investigation. No legal basis exists, however, to prevent authorities from holding a person beyond that time without charge. The number of detainees held by the Gendarmerie in its Lome prison, outside the strictures of local judicial process, is reported to be approximately 50. Detentions made by the military are processed through the military judicial system.

President Eyadema publicly stated in 1980 that Togo had six political prisoners. This referred to persons convicted of crimes against the state. In January 1982, President Eyadema announced the release of two of these persons, Kouassivi Alphonse de Souza and Abdo de Souza, who were convicted by Togo's state security court of conspiracy to overthrow the Government in August 1979 and given ten year prison sentences. Unconfirmed reports estimate that approximately 200 political detainees are currently held in Togolese prisons.

f. Denial of Fair Public Trial

Almost all defendants are accorded the right to a public trial and the right to be represented by counsel. Counsel is appointed by the Government in those cases where the defendant cannot afford the cost of an attorney. An attorney is accorded permission to see the defendant in person and engage in private discussions with him. Defendants and counsel are formally notified of charges in writing. Special courts (security, embezzlement of public funds, violent crimes) observe the same standards of justice as regular courts. A crowded court docket and shortage of judges inhibit speedy trials. A new individual and family legal code approved by the National Assembly and published in April 1980 is beginning to be applied. The Government plans a country-wide education campaign to inform individual citizens of provisions of the new code, which reportedly will enhance the rights of women. A penal code for civilians has been approved and promulgated and is generally followed by the Government. Togo's judicial system is not independent of the executive branch and is open to political interference in those trial cases important to the Government.

g. Invasion of the Home

Authorization by a judge or senior police official is normally required for physical searches of private residences in both civil and criminal cases. In matters determined by the Government to involve national security, searches without formal authorization are permitted. Phone taps also are known to exist.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech is restricted, and a free press does not exist in Togo. The Government owns and operates the media and generally does not permit publication or circulation of material criticizing its policies or officials. From time to time however, some cabinet ministers and mid-level government functionaries are criticized for ineffective implementation of programs and for corruption. Authorities occasionally have been known to confiscate issues of foreign publications containing articles considered to be critical of the Government, although this practice has not occurred recently. Academic freedom is only permitted in non-political fields.

b. Freedom of Peaceful Assembly and Association

The right of assembly is limited. Prior governmental approval must be obtained before large groups may assemble. The single national trade union federation, La Confederation Nationale des Travailleurs du Togo, is controlled by the National Party. The Federation essentially serves to convey to workers governmental views and requirements, but on basic economic issues it represents workers' concerns to the Government. All major sectors of the Togolese work force are unionized, and the right to strike exists, though it is rarely exercised. Professional groups are not persecuted or intimidated unless they become involved in activities that are thought to threaten the country's stability or security.

c. Freedom of Religion

Freedom of religion usually prevails in Togo. However, in 1979 Jehovah's Witnesses were banned by government decree. No specific religion is favored by the Government, and with the exception of Jehovah's Witnesses, open practice of religion is permitted.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Free movement, including domestic and foreign travel and emigration, is allowed in principle for Togolese and foreigners. Domestic travellers encounter security and customs-related official roadblocks throughout the country. Cases have been reported where Togolese have been denied certificates of nationality (a prerequisite for obtaining a passport and in some cases employment) and passports, in order to prohibit their foreign travel. This stricture has usually been applied to prevent Togolese doctors from emigrating to Europe, but may recently have been used to prevent foreign travel by political opponents of the regime. Except for a few political exiles, Togolese who have chosen residence in other countries may return to Togo at will. Togo has traditionally welcomed refugees, and there are no reports of harassment of refugees.

e. Freedom to Participate in the Political Process

President Eyadema holds a monopoly of power in Togo. There are, however, institutions permitting somewhat wider participation in decision-making on issues about which the President is not firmly resolved. The political bureau of the single political party and the larger central committee discuss and decide such issues, and ratify all government decisions. The political bureau is chosen by the President with the concurrence of the party congress which meets every five years. The central committee has has some members who are chosen by the party congress, some who are cabinet members, and others drawn from the single trade union, youth and women's groups, and private commerce. Membership in the party as a whole is open to anyone of good character. Membership is estimated at one million. Frequent meetings of the party at various levels appear to serve both as mechanisms to explain and gain acceptance of government policy and as a consultative process to provide the Government with feedback on its decisions. Active participants in the party may express their views at party meetings on issues such as the implementation of policy and the behavior of subordinate officials. There is, however, no serious challenge to the President's political program and the central committee's decisions on major policy issues.

During the last election in 1980, President Eyadema, who was the only candidate running for the office, received 99.7 percent of the votes cast. Togo has a 67-member National Assembly which debates certain categories of proposed legislation as defined by the Constitution, but it has no real power to reject proposed laws. It can and does require ministers to explain and justify their budgets, and it gives sanction to policy decisions. The President of the National Assembly also holds office in the party central committee. National Assembly members are elected on a national constituency basis. Only one party list is presented to voters. All regional ethnic groups and both sexes are represented within the confines of the single party political system, and thus all groups are said to be represented in the Government. Women have not traditionally had a role equal to men in the political process in Togo, but the Government is encouraging greater participation by them. Currently four women serve on the 22-member central committee of the party. The Secretary of State of the Ministry of Public Health in charge of social affairs and women's condition and the Minister Delegate to the Presidency in charge of relations with the National Assembly are women.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violation of Human Rights

The Government of Togo intends to host an international conference entitled "The Rights of Children in Africa" sometime in 1983. The Government has agreed also to establish a new school for the study of international human rights at the University of Benin in Lome, coinciding with the conference. In October 1982 the Togolese National Assembly ratified the African Charter on Human Rights and in the same month hosted a conference on human rights practices in Africa.

The Government of Togo in the past has invited international organizations such as Amnesty International to visit Togo to investigate charges of human rights violations. Amnesty International sent an observer to the 1979 "mercenary" trial of those accused of participation in the 1977 coup plot, but did not have access to the file of evidence collected by the magistrate in charge of the preliminary judicial investigations. Since the 1979 trial, Amnesty International and the Government of Togo have exchanged public comment about human rights violations in Togo. In its 1982 report Amnesty noted its main concerns in Togo as detention without trial of suspected political opponents of the Government, the ill-treatment of detainees, as well as the 1979 trial and its results. Freedom House in 1982 rated Togo as "not free".

There are no organizations based within Togo that report on or observe human rights violations.

4. Economic, Social, and Cultural Situation

Togo is listed by the United Nations as among the 36 poorest countries in the world (34th). With few natural resources, a population of 2.64 million, and a small land area the size of West Virginia (65,700 sq. km.), Togo is less endowed than many African countries with the resources needed for appreciable economic growth.

The society comprises over 40 ethnic groups, each with its own traditional chiefdoms and laws which are afforded some limited official status. The coastal and southern ethnic groups are the most populous and educated, and predominate in the economy, bureaucracy, and professions. The south's major group, the Ewe, accounts for over a third of the population. Northern groups are dominant in the military and police.

Current government policies attempt to channel greater development resources to the poorer, mostly northern groups to correct prior imbalances during the colonial period. However, the coastal region remains the center of Togo's modern economy and still receives and produces the bulk of government revenues. Discrimination based on tribalism and regionalism is condemned by the Government, and special efforts are made to help improve the condiion of less developed northern groups. The right to own property individually and in common is protected by the Constitution.

According to the latest available figures (1981), 12.1 percent of Togolese infants do not survive their first year of life. While this figure is high, it is a significant improvement over 1970 figures of 16.39 percent per 1000 live births. Sanitation standards are low. Life expectancy at birth is 47.1 years (1980). Forty-nine percent of the urban population and 10 percent of the rural population have access to safe water (16 percent country-wide, 1975). Net available food supplies could theoretically provide just 90 percent of the caloric nutritional needs of the total population (1977).

Togo has 21 hospitals and nearly 300 dispensaries and clinics spread throughout the country's 28 prefectures. Service is provided at subsidized, nominal prices and on a non-discriminatory basis. Doctors and nurses are in short supply with one doctor available for every 17,900 people (1977), and one nurse for every 2,000 (1977). The Ministry of Public Health through its social affairs division maintains child and maternal health care units throughout the country that, among other services, distribute approximately $2 million of free US-supplied PL-480 food annually.

School attendance is compulsory until age 15 and primary education is available throughout the country. Since many students start school late and repeat school years, the number of places provided for primary education exceeded the number of children of primary school age (6-11) in 1980 (111 percent). Available places in secondary schools equalled only 25 percent of the 12-18 year population, and available places in higher education institutions equalled just 1.9 percent of the 19-22 year population. School enrollment in Togo has increased annually. The adult literacy rate is low (18 percent, 1977) and the quality of education in public schools is inadequate.

Enrollment ratios in Togo's far northern districts are considerably below those of southern districts and enrollment ratios for females are generally lower than those for males throughout the country. Government policy of providing universal primary education on an even-handed basis regardless of sex or ethnicity has begun to reduce these discrepancies.

Except during periods of drought, enough food is available to sustain the population. GNP exceeded $1 billion for the first time in 1980 ($1.05 billion) with per capita GNP projected at $380. Growth in real GDP averaged less than three percent per annum during the 1975-1980 period, barely keeping pace with population growth of 2.4 percent (1974-1979). Most recent estimates place 42 percent of the urban population below the absolute poverty level. Togo's fertility rate is high (6.5 percent in 1979).

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: TOGO

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	5.6	10.0	7.7
LOANS...............	0.0	0.0	0.0
GRANTS..............	5.6	10.0	7.7
A.AID	1.9	4.6	3.4
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.9	4.6	3.4
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	1.7	3.1	1.9
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.7	3.1	1.9
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS......	0.0	0.0	0.0
PAY. IN FOR. CURR......	0.0	0.0	0.0
TITLE II-TOTAL.........	1.7	3.1	1.9
E.RELIEF.EC.DEV & WFP.	0.5	0.6	0.8
VOL.RELIEF AGENCY.....	1.2	2.5	1.1
C.OTHER ECON. ASSIST...	2.0	2.3	2.4
LOANS...............	0.0	0.0	0.0
GRANTS..............	2.0	2.3	2.4
PEACE CORPS.......	2.0	2.3	2.4
NARCOTICS.........	0.0	0.0	0.0
OTHER.............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS...........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS.........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	5.6	10.0	7.7
LOANS...............	0.0	0.0	0.0
GRANTS..............	5.6	10.0	7.7
OTHER US LOANS...........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980.	1981	1982	1946-82
TOTAL........	12.4	13.0	15.2	266.9
IBRD	0.0	0.0	0.0	3.5
IFC	0.0	0.0	0.0	0.0
IDA	11.0	0.0	0.0	83.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	9.7	10.3	59.8
UNDP	1.4	2.5	0.0	26.4
OTHER-UN	0.0	0.2	0.0	3.8
EEC	0.0	0.0	4.4	90.4

UGANDA

More than three years have passed since the overthrow of Idi Amin, and President Obote has now completed two years of a five-year elected term, which began with the December 1980 general election. The governmental structure of Uganda consists of a strong presidency and an elected parliament. In practice, power is quite widely dispersed with the cabinet, individual ministers, party chiefs, and security forces personnel sharing decision-making powers on a decentralized basis. During 1982 the President relied heavily on the security forces' support because of the continuing anti-government guerrilla activity. An opposition party functions openly, and various newspapers and newsletters continue to publish with only sporadic government interference. Weapons in and out of government hands are abundant and control of violence -- whether inflicted by guerrillas, common criminals, undisciplined security force members, party officials, or traditional cattle raiders -- remains the Government's most important and elusive task.

In the post-election period, the Government has followed economic policies designed to strengthen the country's economy -- especially its food crop production -- which has steadily improved. Inflation, scarcities, and poorly operating state-owned enterprises continue to be serious problems to overcome. Uganda's approach to development and recovery has drawn support from a wide spectrum of foreign countries, though the bulk of this assistance comes from Western countries, the IMF, and the World Bank. Because of the tragedy of the Amin years, the destruction of war, chaos of the interim post-war governments, and still unresolved internal security problems, Uganda remains one of the world's least developed countries.

Security force personnel on occasion detain suspects without trial, or in many cases fail to initiate the legal procedures required for detention under Uganda's detention law. Even more troubling is the interrogation of suspects at military barracks or non-prison places of detention, which has resulted in continuing reports of torture, deaths, and disappearances of people taken for questioning. Amnesty International in its 1982 report, covering developments in 1981, identified these areas as the major human rights problems in Uganda today. However, Ugandan prisons run by the Ministry of Internal Affairs' prison service are considered to be well run by supporters as well as critics of the Government. Massive roundups of suspected guerrillas, however, have been phased out.

Anti-government guerrilla attacks have continued sporadically and account for occasional assassinations of government or Uganda Peoples Congress officials. The frequency and impact of such attacks have fallen considerably from the previous year's level. Security and economic activity have improved greatly in most of West Nile Province following the fighting in 1981 between government forces and former Amin soldiers, which devastated the Arua area and drove tens of thousands of refugees into Zaire and Sudan. A substantial number of refugees -- especially women and children -- have now returned from Zaire and resumed farming their lands in West Nile. Security has improved in the area east of Kampala (Mukono district) but deteriorated during 1982 in areas south and west of the city (Mpigi, Lowe, and Mubende districts). As a result of apparent successes by government security forces in capturing guerrillas and destroying their bases of operation, security incidents in these troubled districts have gradually decreased, and areas once deserted as a result of fighting or searches for guerrillas are beginning to recover from the violence and widespread looting which both sides had engaged in earlier in the year.

New problems have afflicted southwestern districts of Uganda as a result of tribal and political antagonisms which forced thousands of people of undetermined citizenship, almost all of whom had lived in Uganda for over a decade, to flee to Rwanda or be moved forcibly into camps established by the Government of Uganda.

Thousands of former Amin soldiers who had been held without trial since mid-1979 were released in 1982 along with a substantial number of post-election detainees. Under pressure from the Ugandan Government, the Kampala-based resident representative of the International Committee of the Red Cross and his staff departed from Uganda early in 1982.

Trade union activity in Uganda's predominantly agrarian economy remains at a low level. Freedom of religious choice and practice is well protected. Women enjoy equal rights, although they face cultural inhibitions in exercising them to the fullest.

Trends either long or short in term are not easily assessed. Security has improved greatly in some parts of the country while deteriorating in other areas. The agricultural sector of the economy has improved steadily, but other areas are suffering from lack of resources, lapses in Uganda's once strong public service ethic, and inflation. In general, the overall economic and security situation by the end of 1982 showed improvement over the period a year earlier and a great improvement over the immediate post-war period of interim governments. The return to law and order, due process, and increased respect for human rights has been slower than expected, and seems likely to be achieved only in parallel with progress in reconciling current political and tribal conflicts.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Killings occur in Uganda for many and varied political and non-political reasons. Guerrillas kill members of the security forces, civilian officials, and party officials. In West Nile Province, former Amin soldiers also are reported to have killed large numbers of innocent civilians trying to flee from areas controlled by these guerrilla fighters. Security forces kill guerrillas. Innocent civilians also frequently bear the brunt of violence which accompanies security force reaction to guerrilla acts of terrorism and sweeps through populated areas in search of guerrillas, their supporters, and their camps. In the past year, there have been at least two occasions in which substantial numbers of bodies have reportedly been found on the shore of Lake Victoria near Entebbe and in a swampy area of Mpigi district -- with resulting accusations that the killings were carried out by security forces, and counter-accusations of guerrilla culpability. On another occasion in February, patients were reportedly dragged out of Kampala hospitals by soldiers, and several of their bodies were later found. Amnesty International has expressed particular concern about extra-legal executions. Many killings occur for common criminal reasons connected with theft or extortion. It is impossible to determine the rationale behind most killings. In January, a Democratic Party member of parliament and a Uganda Peoples Congress Party official who was also manager of the Housing Corporation were killed together by a squad of assassins.

The motivation almost certainly was political, but the responsibility has never been fixed. Most observers agree that the situation is complicated by the Government's difficulty in controlling its security forces, whose members are too often poorly recruited, trained, and led. Uganda Peoples Congress officials acting at local levels also have been accused of contributing to Uganda's violence by acting on their own initiative to eliminate political opponents. Particularly to be singled out in terms of politically motivated acts of terrorism are the guerrilla groups whose leaders contested the 1980 elections, and then went into armed opposition, claiming that the election results had been altered by the electoral commission of the provisional military government. These guerrilla leaders -- through killings they direct and through the retaliatory acts of violence they trigger by security forces reacting to acts of real or alleged terrorism -- bear a large part of the responsibility for losses of innocent lives in Uganda. There are credible indications that anti-government groups receive external aid in various forms.

The Government has sought to increase training of security force members and to improve discipline and leadership within the security forces. Its acceptance of offers of foreign assistance, including a British Commonwealth training team, is designed to promote more disciplined behavior in the future by Uganda's security forces.

b. Disappearance

Disappearances resulting from abduction or detention of individuals by security force members occur. Though reports of abduction occur regularly few are or can be confirmed. Amnesty International has expressed concern about widespread reports of disappearances. Most detained persons are ultimately released or turned over to police for investigation and prosecution where evidence warrants. Some are subjected to mistreatment and extortion of money before they are released or placed in police custody. Reports of torture are widely circulated, and some innocent people reportedly have died of injuries or malnutrition while held in barracks or other non-prison places of detention and interrogation. The Government has acted at times to obtain the release of people held in barracks, but it has not been effective to date in completely ending these practices. The guerrillas are also implicated in deaths and disappearances, but firm estimates of those involved as a result of the actions of security forces or guerrillas are not available. The Government publishes occasionally a listing of detained persons, though the list clearly covers only those individuals for whom the procedural requirements of Uganda's detention act have been met.

c. Torture

As noted above, there are reports of the use of torture as a technique of interrogation or extortion. Barracks and isolated houses used for interrogation purposes are generally cited as the places where torture occurs. Few reports allege any frequent use of torture at locations outside the vicinity of Kampala and Entebbe. Torture by most accounts does not occur at prisons controlled by civilian police. Makindye Barracks in Kampala is the most notorious of the locations where torture is alleged to occur. Critics charge government leaders with condoning or acquiescing in acts of torture rather than with directing such acts. Government officials deny torture is officially sanctioned, but admit it has occurred as a result of indiscipline among security forces. The Government claims it has disciplined security force personnel for practicing torture when sufficient evidence is available. Torture is another area of concern to Amnesty International.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Most reports of cruel and inhuman treatment concern those persons detained in military barracks and other places of "temporary" detention, where food and medical treatment are generally inadequate. It was at a military barracks where two US correspondents were whipped while being detained without charges. Uganda's justice and prison systems operate very well within the limits of available physical resources. Punishments are neither cruel nor inhuman, and prison care is fairly good. The Catholic Cardinal of Uganda, other religious leaders, and diplomats who have visited Uganda's prison facilities concluded that they appear to be well run and that care afforded to prisoners is reasonably good.

e. Arbitrary Arrest and Imprisonment

It appears likely that hundreds of people continue to be held under detention without trial -- not counting those who are held in barracks or other non-prison locations. Over the past two years, the Government has released some 5,000 former Amin soldiers and associated individuals who had been detained since mid-1979. Few such soldiers now remain in detention following the Government's periodic releases. Those presently held arbitrarily or under Uganda's preventive detention laws are a mixture of criminal and political suspects. The Government defends its use of detention on the grounds that its police force and prosecutors are not up to the task of massing and presenting evidence in individual cases promptly. Accordingly, the Government states that it will use detention until such time as its police and prosecutors are staffed and trained to permit close adherence to Uganda's legal requirements with respect to due process and fair trials. Habeas corpus provisions exist in Uganda's legal system, but attempts by detainees to avail themselves of this protection generally have been frustrated by lack of cooperation by police, prison, or military authorities. Amnesty International has concentrated its efforts on seeking release of persons arbitrarily arrested and imprisoned.

f. Denial of Fair Public Trial

Uganda's courts now enjoy a good reputation for independence and impartiality. In 1981, for example, Idi Amin's close advisor, Bob Astles, was acquitted by a Ugandan judge of charges of murder brought by government prosecutors in a celebrated criminal case. The trials that are held are public and allow procedural safeguards and effective counsel along the lines of traditional British legal practice. There are no special courts established to hear cases involving security-related crimes. Guerrilla leader Balaki Kirya who was arrested in August has been accorded due process though not a speedy trial. Appeals of all cases are to higher civil courts.

g. Invasion of the Home

The Government has conducted security sweeps of residential areas in and around Kampala over the past year, in which thousands of young men were detained as suspected guerrillas. All but a few were released within 24 hours. No warrants are required or obtained for soldiers, police, and intelligence personnel. Forced entry is used when deemed appropriate by security personnel. There are no reports of bugging, demolition, or sealing of homes.

In mid-1982 the Government arbitrarily ordered large numbers of residents in the vicinity of the Ministry of Defense to vacate their homes, but after a short time it relented and permitted these residents to return home.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Some criticism of the Government by the parliamentary opposition and the press is tolerated. Despite past closing of some newspapers and the arrest of the staff of Munnansi, an opposition party newsletter, for several weeks in mid-1982, independent newspapers continue to publish news critical of the Government, and Munnansi continues to be published on a weekly basis. In these publications, security incidents are reported, and the Democratic Party regularly attacks the Government for alleged violations of human rights and other shortcomings. There is no active censorship of internal or external publications, though few of the latter are to be found in Uganda because of scarcity of foreign exchange. The overall insecure conditions within the country create an environment in which complete freedom of speech and press is discouraged. The Government owns and operates radio and television stations and also operates the most widely read English-language daily newspaper. These media have carried regular coverage of parliamentary debates including opposition criticisms of the Government. They also give occasional, limited coverage to press conferences by Democratic Party President General Ssemogerere. Makerere University continues to recover from the oppression of the Amin era. Teaching positions are available to members of the Democratic Party and at graduation ceremonies in December 1982, President Obote gave a speech in which he strongly defended academic freedom.

b. Freedom of Peaceful Assembly and Association

Problems of insecurity have acted in general to limit assembly. The ruling Uganda Peoples Congress party has held numerous political rallies. The opposition Democratic Party has not felt it safe under existing security conditions to do so. The Democratic Party has held regular meetings of its parliamentarians and also has organized conferences to discuss development and other issues under the auspices of its Foundation for African Development. Trade unions are not active. Uganda's industrial capacity has suffered enormously over the past ten years and what remains of the trade union movement has not been active in traditional trade union activities. The ruling Uganda Peoples Congress Party's efforts to maintain its influence in the labor movement have drawn the Government into union affairs. Though the Government neither prohibits nor discourages strikes, there were no organized strikes or other labor protests during 1982. Professional associations of doctors, attorneys, engineers, and accountants operate without hindrance, as do business associations such as Rotary International. The Government keeps a close watch on contacts by union leaders with outside parties and controls the assistance the unions may receive from outside sources.

c. Freedom of Religion

There is no state religion, and freedom of religious choice and practice is generally well respected. There is no dominant religion, nor are there any restrictions on ceremonies or religious teaching. Conversion between religions is not obstructed. There is no government policy which provides an advantage for adherents of one religious group over those of another. However, some tribes have one predominant religion, and discrimination along tribal lines does exist. Favoritism doubtless occurs in some hiring and promotional situations, as adherents of one or another religion seek to help members of their own sect. During 1982 there were isolated occasions in which soldiers entered and desecrated Catholic and Protestant churches in searches for suspected guerrillas or their supporters. Such an incident at the Rubaga Cathedral (Catholic) in Kampala in February 1982 raised concerns for a time that the Government might fall into a confrontation with the church, but conciliatory meetings appear to have brought a resolution.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

In general, domestic movement and foreign travel are not impeded. However, specific problems arise because of roadblocks manned by security forces, which on occasion extort money or goods from merchants and other travelers. Lack of foreign exchange is the main constraint on foreign travel. The Government has welcomed back citizens returning from exile. It does not have a policy of obstructing emigration. The parliament recently passed a law which encourages property owners, especially Uganda's former Asian residents, whose land, businesses, or houses were confiscated by the Amin government to return and reclaim their properties. Until recently, Uganda has been a good host to refugees -- mainly from Rwanda -- who have come to Uganda in large numbers over many years. It has not been government policy or practice to force refugees to return to their country of origin. In October of 1982, however, tribal and political animosities in southwestern districts and government suspicion that ethnic Rwandans have been involved in guerrilla and criminal activities, resulted in local district officials in southwestern districts deciding forcibly to resettle ethnic Rwandans and others in established camps. Uganda Peoples Congress youth groups in the area harassed the refugees. Although some went to the camps, tens of thousands fled to Rwanda. The rapidity of the move forced most Rwandans to leave most of their property behind in Uganda.

e. Freedom to Participate in the Political Process

Uganda has a parliamentary style Government headed by an elected president who is from the majority party in an elected parliament. Decision-making power is quite widely shared by the president, cabinet ministers, party leaders, and security forces officials. Given the insecure conditions in the country, President Obote's position has depended to a substantial extent on the support of Ugandan and Tanzanian military forces; the latter were withdrawn in stages during 1981. The Uganda Peoples Congress, which won the election with a substantial majority of victories in the 1980 parliamentary elections (since strengthened by crossovers of several Democratic Party members of parliament), narrowly topped the Democratic Party in terms of total popular vote. The Democratic Party leadership, while disputing the election result, nonetheless accepted the role of parliamentary opposition. In this capacity, the opposition has been active and outspoken in criticism of government policies. The Democratic Party offers an important alternative for persons who oppose the Obote Government and who wish to pursue change within the constitutional system. There has been broad participation in Uganda's electoral process, which is based on universal adult suffrage. A Commonwealth observer team reported flaws in the 1980 elections, but concluded overall that they reflected a valid electoral exercise. Women are less active than men in the political life of the country. Though they are not barred from a more active role by law or policies of the respective parties, they are inhibited by tradition and culture. One woman is deputy secretary-general of the ruling Uganda Peoples Congress party.

During Uganda's period of independence, governments have tended to be based on some ethnic groups to the exclusion of others. President Obote draws particular support from the northern Langi tribe of which he is a member and the neighboring Acholi and Iteso tribes. The Baganda, the largest single ethnic group in the country, have tended to be excluded from a leadership role in Government.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government has been criticized strongly in Amnesty International reports for violations of human rights. The Government denies the accuracy of the Amnesty reports, which it asserts were based on information supplied by its opponents. There have been occasional visits by church groups concerned with human rights, and there was a visit to Uganda by a two-person Amnesty International delegation early in 1982. The Government generally has been cooperative in arranging meetings with such officials. The Ugandan Government pressured the International Committee of the Red Cross director and his staff to leave Uganda early in 1982. The Government later said it would permit prison visits in Uganda by the representative in Nairobi. However, to date no formal agreement has been made to permit resumed prisoner visits by the International Committee of the Red Cross. The Democratic Party, the Church of Uganda, and the Catholic Church have been active through public statements and meetings with government officials in attempting to protect individual liberties. The Uganda Red Cross with support of the League of International Red Cross Organizations is active in providing humanitarian assistance. Results have not been dramatic, but these independent actions have helped to focus attention on important problems in the area of human rights.

4. Economic, Social, and Cultural Situation

Uganda, a nation of 13 million with a population growth rate of about 2.8 percent, remains one of the world's poorest countries. Per capita income is about $284. Its economy, infrastructure, and institutions have suffered heavily as a result of the Amin years, war and post-war chaos, and violence. The Government is pursuing policies designed to increase production by providing attractive incentives to small farmers and other producers. Floating of the Ugandan shilling, creation of a second tier foreign exchange auction, and the freeing up of market prices generally have created a climate in which encouraging economic progress is being made -- especially in the area of food production. Problems of insecurity, however, continue to impede economic recovery. Uganda receives substantial aid from the US, other Western countries, and international financial institutions. There are tribal tensions within the country which in turn are reflected in political differences. There is no discrimination in law against women, although traditional cultural inhibitions continue to have an impact on education, choice of work, and other activities. Uganda's laws are protective of property rights, but actual protection is often difficult in an environment in which weapons are so plentiful.

Ugandans as a whole have survived the past decade of chaos and violence by becoming highly self-reliant and self-sufficient.

While the level of monetized economic activity fell to a very low point, families have been adept at meeting their own food production needs in most parts of the country. The adult literacy rate is about 20 percent, and about 50 percent of school age children are enrolled in some type of educational institution. Average life expectancy is 46 years, and the estimated infant mortality rate is 120 per 1000 births. About 35 percent of the population have ready access to safe drinking water.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: UGANDA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	6.1	9.0	7.4
LOANS..............	0.0	0.0	0.0
GRANTS.............	6.1	9.0	7.4
A.AID	0.0	2.0	7.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	2.0	7.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	6.1	7.0	0.4
LOANS..............	0.0	0.0	0.0
GRANTS.............	6.1	7.0	0.4
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	6.1	7.0	0.4
E.RELIEF.EC.DEV & WFP.	1.4	2.3	0.0
VOL.RELIEF AGENCY.....	4.7	4.7	0.4
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS.......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.1
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.1
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	6.1	9.0	7.5
LOANS..............	0.0	0.0	0.0
GRANTS.............	6.1	9.0	7.5
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	92.5	21.7	0.0	224.3
IBRD	0.0	0.0	0.0	8.4
IFC	0.0	0.0	0.0	3.2
IDA	72.5	0.0	0.0	120.5
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	9.7	0.0	0.0	27.2
UNDP	7.3	14.0	0.0	49.6
OTHER-UN	3.0	7.7	0.0	16.4
EEC	0.0	0.0	0.0	0.0

UPPER VOLTA

In an almost bloodless coup d'etat on November 7, 1982, members of the Upper Voltan Army overthrew the regime of Col. Saye Zerbo, who had himself seized power in a coup in November 1980. The new Chief of State, Major Jean-Baptiste Ouedraogo, formed a moderate government composed of two military officers and eighteen civilians. Given the composition of the Government and the absence of strong ideological rhetoric, there is no reason to anticipate changes in the nation's performance on human rights.

Ninety percent of Upper Volta's seven million people live in rural areas, the vast majority living at a subsistence level. There are only two cities with more than 100,000 inhabitants and perhaps another half dozen which qualify as regional urban centers. Government administrators, however, are found not only at the seat of the country's 11 prefectures, but also at subprefectoral and district levels. Thus, much of the populace is affected by the Government in Ouagadougou. Underlying basic legal and political structures, inherited from colonial times, have been somewhat modified over the years, but they largely follow the French model.

Although the 1977 Constitution was suspended in November 1980, there remains a strong tradition of respect for individual civil rights. Political rights were severely restricted in 1980 with the abolition of parliament and the suspension of political parties. Many former political leaders, however, continue in informal groupings to discuss plans for the return of these political rights. Following the recent coup, the most serious violation of individual rights remains the house arrest of former President Lamizana and key officials of his regime detained since the 1980 coup and the post-coup detention of President Zerbo and top officials of his Government.

Labor unions' right to strike, abolished in November 1981, was restored in February 1982, although limited by certain "cooling off" provisions. At the same time, organized labor has felt free to protest the dissolution of one of the four major labor federations and to call publicly for a return to constitutional democracy.

The first indications of how the new Government views its role, and the avowed purposes of its coup, were voiced by the newly named Head of State Ouedraogo in a November 18, 1982, press conference. Ouedraogo said that the new regime's purpose was to restore order, to reorganize the armed forces and government apparatus, to establish social justice, to guarantee individual and collective freedoms while respecting human rights, to encourage economic, social and cultural development and to progress toward normal constitutional life and a return to civilian rule within two years. In these first weeks following the coup, foreign and domestic observers are watching to see how the Government acts to implement these goals. An early test will be the handling of the detainees and what concrete steps are taken to begin the promised return to civilian, constitutional rule. The new Government has brought forward for trial cases prepared under the just-deposed Zerbo regime against former President Lamizana and officials of his Government.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no reports of politically-motivated killing in Upper Volta in 1982.

b. Disappearance

There have been no reports of disappearances in Upper Volta.

c. Torture

Torture is not practiced in Upper Volta.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Although the poverty of society in general results in poor prison conditions, there are no reports of cruel, inhuman, or degrading punishment.

e. Arbitrary Arrest and Imprisonment

Some two dozen top leaders, including former President Lamizana, have been released from detention by the new Government but, as of this writing, are still being held under house arrest. The Ouedraogo Government has detained leaders of the former Zerbo regime. The conditions of the detainees' detention are considered humane, but they are held with no date yet set for their trial or release. Three members of a radical group, the Patriotic Line for Development were arrested in January, when they attempted to publish a "subversive" periodical supporting banned labor leader Soumane Toure. They were released after one to three weeks because of negative public reaction. Habeas corpus does not exist under the Napoleonic code in force in Upper Volta. Preventive detention rules permit a maximum 72 hour holding period, renewable once, in criminal cases. These rules are followed in practice.

f. Denial of Fair Public Trial

Upper Volta's judiciary remains independent, and the average citizen receives a fair trial, represented by counsel, if he is aware of his rights. Illiteracy and ignorance limit this awareness on the part of the poor, who do not always receive full benefit of the system's guarantees.

g. Invasion of the Home

Searches of the home may be carried out between 6 a.m. and 9 p.m. under a warrant issued by the Attorney General or with consent of the individual concerned. This law is adhered to in practice.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The media are government operated with the exception of the independent daily paper "L'Observateur." Except to the extent that they arise from government operation of the media, there are few restrictions on freedom of speech and press in Upper Volta. The Secretary of State for Information has promulgated press guidelines which preclude criticism of "friendly countries" and require positive reporting of domestic events, but these guidelines are not rigidly enforced. Press censorship exists, but is rarely exercised. All publications must be submitted to the Ministry of Interior for review, but during the past year, the only known case of media censorship was the suppression of one edition of "L'Observateur" which quoted labor criticisms of the Government. In another incident, the editor of the government press agency was briefly interrogated by the security police for having prematurely published information about a local bank fraud investigation. Although such incidents have been sporadic, the effect has been for local journalists to exercise limited self-censorship lest they run afoul of the authorities.

Voltans are free to express their opinions, but political views are rarely expressed publicly since the suspension of political activity. During 1982, virulent anti-government statements led to the arrest of Patriotic Line for Development members (see paragraph 1e) and the dissolution of a major labor confederation. There are no known limitations on academic freedom in Upper Volta. Professors are free to teach their courses within the confines of the academic curriculum without outside interference. In the arts, movies are subject to rating and possible censorship by a review board which includes religious authorities as well as government officials.

b. Freedom of Peaceful Assembly and Association

Peaceful assembly and association are largely unfettered in Upper Volta. Administrative permission generally is required for mass meetings, but permits are given freely, with the major exception that activities by political parties are banned.

Three labor federations and a number of autonomous unions exist in Upper Volta. One group is affiliated with the International Confederation of Free Trade Unions (ICFTU), a second with the World Federation of Trade Unions (WFTU), and the third with the Confederation of Christian Workers. Labor exercises its right to organize, train workers, and negotiate without restraints. The right to strike, on the other hand, is circumscribed by a number of administrative precedures that can defer a strike for a "cooling off" period of up to 56 days. The International Labor Organization (ILO) has requested that the Government ease this strike-limiting measure, but the ILO general assembly failed to issue a formal condemnation. To date, these cumbersome administrative procedures circumscribing strikes have not been applied. Old-line economic labor federations hold their own in the ongoing adversary relationship with the government and are not unduly harassed. This is not true for the highly politicized confederation of civil service locals, which was disbanded in November 1981 for flouting a government anti-strike law. All constituent locals of this group, however, continue to exist. Other professional groups have experienced no government interference and maintain links with their international counterparts. The new Government has announced "restoration" of workers rights but has as yet to provide details.

c. Freedom of Religion

There are no limits on freedom of religion in Upper Volta.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration and Repatriation

There are no limits on domestic movement, but emigration is controlled through the issuance of exit permits. The declared purpose of this measure is to restrict the outflow of Voltan migrants to neighboring countries, particularly Ivory Coast, in an effort to keep more able-bodied producers within the agricultural sector. Refugees are accepted freely and attempts are made to provide for their care in cooperation with the United Nations High Commission for Refugees. Substantial numbers of refugees from Ghana have entered Upper Volta in the aftermath of the Rawlings coup in Ghana.

e. Freedom to Participate in the Political Process

Upper Volta is ruled by a military council that appointed a cabinet of eighteen civilians and two military officers. No partisan political activities are permitted and there are no political opposition groups. Participation in the Government comes rather through formal discussion within the larger armed forces council or through informal pressure groups acting on the leadership.

Women enjoy the same rights as men under Voltan law and are active participants in Voltan economic life. Their political role traditionally has been limited. With expanding educational opportunities, however, Voltan women are slowly assuming a larger role in Voltan society. The Ministry of Social Affairs works to promote greater participation by women in the nation's economic, social, and political life. Two women have been appointed to the cabinet of the new Government. There was one woman in the former cabinet, and several others held high government positions including the Secretary General of the Presidency.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Neither the present nor the previous Government made any formal public statement with regard to human rights organizations during 1982. At the annual ILO meeting in Geneva, Voltan delegates affiliated with the World Federation of Trade Unions introduced an assembly resolution which criticized their Government for its anti-union activities. It was not adopted. Amnesty International earlier called for the release or trial of former President Lamizana and his co-detainees. A Human Rights Association, formed in Upper Volta in January 1982 by private citizens, has undertaken no activities beyond its own organization.

4. Economic, Social, and Cultural Situation

Upper Volta is a land-locked country of 7,023,000 people, most of whom belong to two major West African cultural groups: the Voltaic and the Mande. The Voltaic are the most numerous and include the Mossi tribe, which makes up about one-half of the population. Most Voltans adhere to traditional animist practices. The Muslim and Christian minorities, however, include most of the country's educated elite.

Despite the high infant morality rate of 211.1 deaths per thousand live births, the population is growing at the rate of 2.6 percent per annum. Life expectancy at birth is 38.9 years. Population pressure on increasingly depleted agricultural land is somewhat restrained by the mortality rate and by large scale annual migrations to neighboring countries for seasonal agricultural work.

Upper Volta is overwhelmingly tied to traditional subsistence agriculture. Approximately 90 percent of the population lives in rural areas, and less than one percent is employed in the modern, monetized sector of the economy. GNP per capita was $194.30 in 1980. The average caloric supply available for consumption is 79 percent of nutritional requirements.

Poverty is pervasive in Upper Volta, although the country's meager economic and social resources are distributed on a reasonably equitable basis. There are no identifiable disenfranchised groups, although living standards are generally higher in the few urban centers than in the countryside. 5 percent of the population are literate and 18 percent of school age children are enrolled in primary school. Safe water is available to 25 percent of the population.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: UPPER VOLTA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	22.7	30.7	19.6
LOANS...............	0.0	0.0	0.0
GRANTS..............	22.7	30.7	19.6
A.AID	9.2	14.1	11.2
LOANS...............	0.0	0.0	0.0
GRANTS..............	9.2	14.1	11.2
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	12.2	15.2	6.8
LOANS...............	0.0	0.0	0.0
GRANTS..............	12.2	15.2	6.8
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	12.2	15.2	6.8
E.RELIEF.EC.DEV & WFP.	3.7	3.0	1.3
VOL.RELIEF AGENCY.....	8.5	12.2	5.5
C.OTHER ECON. ASSIST...	1.3	1.4	1.6
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.3	1.4	1.6
PEACE CORPS......	1.3	1.4	1.6
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.1	0.1	0.1
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.1	0.1	0.1
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.1	0.1	0.1
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	22.8	30.8	19.7
LOANS...............	0.0	0.0	0.0
GRANTS..............	22.8	30.8	19.7
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	45.9	10.3	10.2	338.4
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.5
IDA	35.0	0.0	0.0	129.1
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.8	0.0	10.2	52.4
UNDP	5.7	1.4	0.0	32.9
OTHER-UN	4.4	0.9	0.0	12.1
EEC	0.0	8.0	0.0	111.4

ZAIRE

Zaire today is a highly centralized and personalized one-party state which, due to a lack of preparation by the former colonial power, came to independence under particularly adverse circumstances. There was a serious civil war following independence and there have been two invasions from abroad. The task of creating and maintaining national unity in the vast country remains a priority concern of the country's political leadership which emerged in the chaos of the early independence years.

According to the terms of the Constitution, all Zairian citizens are automatically members of the People's Revolutionary Movement. The Executive Council (Prime Minister and Council of Ministers), the Legislative Council, and the only official labor organization are organs of the ruling party. The party-state derives its ideology from the ideas and policies of its president-founder, Mobutu Sese Seko. The formation of additional parties is forbidden by the Constitution. The President is head of state, appointing the Prime Minister (First State Commissioner) and his cabinet. He is also the party leader and appoints members of its highest organ, the Central Committee. Under the Constitution the President can promulgate laws by decree, although he shares law-making authority with the elected Legislative Council (National Assembly). Elections were held in 1982 for local and municipal councils and for the National Legislative Council, with multiple candidates, screened by the party, for most offices. Zaire has a civilian government, but military officers are sometimes appointed to government positions, and President Mobutu, who retains his military rank, heads the Defense Ministry.

Zaire's economy, which is based on a combination of private and partially state-owned enterprises, remains a critical problem. The decline in export receipts, and the inability to strengthen economic management have helped provoke a serious shortage of foreign exchange and eroded the welfare of Zaíre's citizens. Most Zairians suffer from a lack of food, shelter, health care, transportation, access to education, and jobs that pay adequate wages.

In 1982, at the highest levels of government, efforts were undertaken to cooperate more regularly with international human rights organizations. President Mobutu received an International Committee of the Red Cross (ICRC) delegation early in the year and he personally took steps to facilitate the task of the ICRC. However, lower-level officials continued to respond slowly to instructions from the ministerial level to cooperate with the ICRC. These reforms aimed at eliminating abuses and generally improving penal system management resulted in the release of some prisoners and the arrest of officials implicated in malfeasance. Despite these efforts, prison conditions, poor to begin with because of insufficient supplies and funds, continued to decline. Reports of civil liberties abuses--arbitrary arrest, prolonged detention without charges, extortion--were still frequent. Thirteen ex-parliamentarians received prison sentences for attempting to form a second political party, *which the Constitution* forbids--a development which called attention to the limits on political expression and open dissent.

Zaire, as in the past, provided support and shelter for 300,000 refugees from Angola, Rwanda, Burundi, Uganda, and Zambia. Since 1978, some 200,000 Zairian exiles have been repatriated under a government amnesty plan.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There were no substantiated cases of murder for political motives, by either the Government or opposition political organizations.

b. Disappearance

People are arrested and held, sometimes in secret prisons, by security services. There are no formal notification procedures but security services generally admit custody when approached by relatives, friends, and international human rights organizations. The number of disappearances is undetermined, but the problem appears not to have worsened.

c. Torture

There were numerous allegations of torture and some instances in which political prisoners were severely beaten, although the number of torture incidents is not known. Disciplinary action against personnel inflicting physical punishment is sporadic.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Physical punishment is not administered as part of sentences for crimes. However, not all local and lower-level officials have been sufficiently educated about the rights of prisoners and abuses in jail do occur. Embezzlement and mismanagement also plague the prison system. Nationwide, prison conditions continue to deteriorate. Poor conditions are not an intentional form of degradation, but rather mirror general socio-economic conditions in the country. Crowding, unsanitary facilities, malnutrition and, in several instances, starvation afflict all categories of prisoners. Many prisons feed inmates by allowing them to farm, hunt, and fish where possible. Families usually provide additional food and supplies when permitted.

Recent cases of criminal neglect and malfeasance have provoked investigations and the arrest of some of those implicated. President Mobutu has signed into law judicial and penal reforms designed to eliminate detention abuses, reduce prison populations, and improve prison management. Implementation of these reforms is slow, but during 1982 some 250 prisoners were released. With the cooperation of the ICRC, the Zairian Government is implementing a program of prison improvement, focussing on sanitation and food self-sufficiency.

e. Arbitrary Arrest and Imprisonment

Police sweeps and arbitrary arrests decreased in Kinshasa in 1982, but there is no way to estimate the number of persons still being held without charge or benefit of due process. Arbitrary arrest and prolonged detention continue to be problems despite the legal requirement that those arrested be brought before a magistrate to hear charges within 24 hours.

There are only 600 magistrates (roughly one per 70,000 people) in the country. In practice, defendants in criminal, security, and military cases are often held for extended periods without charges. Some are released after months of detention without being brought to trial; others are released but placed under restriction during the investigation. Corruption is common among irregularly-paid or underpaid officials, and arrests are often made by low- and mid-level officials on flimsy charges, in order to extort bribes for release or to settle personal vendettas.

Nonjudicial sanctions against persons suspected of threatening the security of the state are authorized by law. Such sanctions range from administrative detention and house arrest to banishment to home villages and restriction of movement and travel. Suspected critics of the regime have been detained without charges by military and security services. While several of the more internationally known arrestees have been released, others less influential or publicized remained in detention for long periods. During the past year, some primary and secondary school teachers were arrested and deported to their villages in order to break a teachers' strike. Family members, friends, and supporters of the 13 ex-parliamentarians on trial for illegally organizing another political party were arrested during the trial, but released in stages afterward.

f. Denial of Fair Public Trial

Trials are usually public, and the right to a fair trial is provided by law. Defendants have the right to a defense counsel, who is generally free from government pressure. Indigent defendants are assigned free counsel by the court. Private lawyers continue to enjoy freedom and independence from government control. In practice, the fairness of trials, particularly at the lower levels, is sometimes compromised by bias or corruption. Poorly paid judges solicit and accept bribes from defendants to render favorable verdicts, and from accusers to find the defendant guilty.

In 1972, a special court for state security was established to hear cases involving threats to national security, armed robbery, and smuggling. The procedures outlined for legal protection in civil courts also apply to defendants in security courts, except that the security courts' judgments cannot be appealed. Procedures for military courts are provided for in the military penal code. Normally, these courts hear only cases involving military personnel. In times of emergency and military operations, the President can suspend the civilian courts and require that all cases be tried in military courts.

g. Invasion of the Home

Although not always observed in practice, judicial warrants are required by law before the police are permitted to search a home, except in cases of threats to national security.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Zairian Constitution provides for freedom of expression and guarantees the right of every Zairian citizen to express freely his opinions and feelings, whether orally or in writing. However, like all other constitutional rights, freedom of expression is qualified by the need to insure "public order and good conduct."

The Government controls the media and press which are expected to promote the development of the country according to the ideals and principles set forth by Zaire's political party. Radio and television are owned and operated by the Government, and major newspapers are only nominally privately owned. Media censorship tends to be self-imposed, and journalists are circumspect in their criticism of high officials. Criticism of certain government practices, inadequate services, and corrupt officials frequently occurs, although politically sensitive subjects are eschewed. Direct criticism of the President and his policies is a criminal offense. Instances of harassment and arrests of journalists are rare. Zairian journalists must be members of the state-controlled press union in order to practice their profession, so ouster from the union and consequent loss of one's livelihood is a serious threat. Journalists whose writings stray out of line are promptly instructed or reprimanded.

There is no serious clandestine press. Popular theater and "radio trottoir" (sidewalk radio), fueled by rumor, gossip and speculation, constitute significant undercurrents of popular opinion and "news." Views which run contrary to the official party line are denied an outlet in the media.

Artistic and academic freedom of expression are subject to the same restrictions and self-censorship as the press. Imported publications, including books and periodicals, are subject to censorship if they are critical of Zaire, and from time to time books and certain issues of magazines are banned. Mail is regularly opened by security services. Electronic surveillance is not normally used; the government security services rely heavily on informer networks.

b. Freedom of Peaceful Assembly and Association

Under the Constitution, all citizens are members of the sole political party, and only it and its subgroups may hold public meetings. The Government permits the existence of several non-political self-help ethnic associations, but these groups have on occasion had meetings disrupted because of purported political activities. The

Government recognizes one labor union which is an extension of the MPR, and whose Secretary-General is a member of the MPR Central Committee. The nonconfrontational union is prohibited from organizing strikes. It can negotiate wage contracts and tends to concentrate its efforts on bread-and-butter issues. All workers employed in the public and private sectors are members of the party and employers pay the union two percent of total salaries for employee dues. The majority of workers (55 percent), however, are employed in unregulated small commerce and agriculture and, therefore, are not covered by the union. Zairian labor's relations with international labor organizations are not directed by the Government, but are consistent with general Zairian foreign policy goals.

c. Freedom of Religion

The Government officially sanctions most of the major world religions and has established procedures for new churches to obtain legal recognition. Virtually all Zairians are free to worship as they wish. Nearly 65 percent of Zaire's population is affiliated with Christian churches. Relations between the state and the Catholic Church--the only nationally-based institution not under the direct control of the party--remain cool and, at times, tense.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

In principle, any Zairian citizen may obtain a passport and exit visa. In practice, this process is sometimes delayed and impeded by underpaid officials. A married woman must have her husband's authorization before obtaining a passport, but once the document is issued she need not get her husband's approval to travel. If her husband is incapacitated in some way or refuses to authorize the passport, she can take her case to the courts, which are empowered to override a husband's denial. Travel within Zaire is generally unrestricted, although special permits are required in certain (mainly diamond mining) areas.

The Government of Zaire's official estimate of the number of refugees to whom it provides safehaven is 300,000 (215,000 Angolans, 22,000 Rwandans, 11,000 Burundians, 50,000 Ugandans and 1,800 Zambians). Since the Government permits refugees to seek employment and settle on farms, most are self-sufficient and integrated into the Zairian economic system within a few years of arrival. Zaire allows refugees access to all social services provided Zairian citizens. Since the declaration of general amnesty for refugees and political exiles in June 1978, some 200,000 Zairians have been repatriated from Angola, Zambia, Europe, Sudan, and Tanzania. In 1982, the Government offered amnesty to, and is facilitating the resettlement of, some 400 former rebels in Kivu Province, with some ICRC and US Government assistance.

e. Freedom to Participate in the Political Process

Although the National Assembly and territorial assemblies have some legislative and administrative authority, the key instruments of power remain highly centralized and controlled by President Mobutu. The Prime Minister and the Cabinet, as well as all governors and judges, are appointed by the President. The Government of Zaire is in the process of creating a nationwide system of territorial assemblies in an effort to achieve a certain amount of administrative decentralization. The formation of additional political parties is constitutionally barred. Thirteen ex-parliamentarians trying to organize a second political party were tried, convicted, and sentenced to 15 years imprisonment under the Zairian penal code of conspiring to overthrow the Government. Suffrage is universal; by law, all eligible Zairian citizens are required to vote, and nonvoters are subject to arrest and fines.

In 1982, direct, popular elections were held for municipal councils, for rural zonal councils, for urban zonal councils and for the national parliament. These were held as prescribed by the Constitution five years after the last such elections. The Government conducted an extensive and intensive campaign of voter information by television, radio, lectures, and the written media. Although all candidates were screened by the party's Central Committee, voters had a choice of candidates (an average of five per district) in the parliamentary elections. During the electoral campaigns, discussion of economic and political issues was restrained. Voter turnout was estimated at somewhat less than 50 percent.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Zairian Government made a greater effort during 1982 to cooperate with international human rights organizations and to improve Zaire's human rights image. President Mobutu personally met with an ICRC delegation early in the year. However, lower-level officials continued to respond slowly to instructions from the ministerial level to cooperate with ICRC. There were some prisoners accused of crimes against state security whom the ICRC was not able to see. Amnesty International remains concerned about reported detention without charge or trial of suspected opponents of the Government, the imprisonment of prisoners of conscience without fair trails, the administrative banishment of other prisoners of conscience, harsh prison conditions, and reports of torture and ill-treatment of prisoners.

4. Economic, Social, and Cultural Situation

Zaire is sub-Saharan Africa's second-largest country in area (over two million square kilometers) and third largest in population (about 30 million). With an annual population growth rate of two percent, the standard of living of the average citizen is lower today than in the 1960s and 1970s. Collapsing global demand, especially falling world mineral prices, rapidly rising import prices, heavy government expenditures on ill-conceived capital projects, the cumulative effects of policies which do not encourage growth, and corruption all have contributed to a dramatic deterioration in the Zairian economy and the Government's ability to rectify the situation. Real GDP growth was negative in the 1975-1982 period, with per capital GDP in 1981 estimated at

$250 at the official exchange rate. The annual inflation rate was about 100 percent in 1979, and about 50 percent in both 1980 and 1981.

Approximately 75 percent of the population is engaged primarly in subsistence agriculture. Industry operates at a maximum of only 30 to 40 percent capacity. Unemployment statistics are unreliable and probably misleading. Underemployment is the more serious problem, and the average urban family depends on petty commerce to make ends meet. Remuneration for productive activity in the public services sector is so inadequate that many civil servants must supplement their incomes through commercial activities. Low salaries and job insecurity have contributed to the institution of corruption in the Government and military with the result that unpaid or underpaid soldiers and gendarmes engage in petty harassment and extortion throughout the country.

Because of low capital investment and maintenance, Zaire's basic infrastructure--particularly transportation, marketing and communications--has deteriorated steadily since independence in 1960. The absence of reliable and reasonably priced transport impedes the movement of agricultural products from food exporting areas (for example, Kivu Province in the east) to importing areas (for example, Kinshasa in the west). Unrealistic agricultural pricing policies, the high cost of transport and overall inflation make even the staple food (manioc) expensive for the average Zairian. Malnutrition, prevalent among both urban and rural inhabitants, is probably the single most serious health problem, contributing to high rates of illness and death from other causes. Life expectancy for the total population in 1980 was 47 years. Health care is curative rather than preventive and is extremely limited in quality and availability in both the urban and rural areas.

The literacy rate in Zaire for persons over 15 varies regionally, but is about 58 percent nationwide with rates lower in rural areas and lowest for rural women. There are no concerted government programs to raise the adult literacy rate. There are only a quarter as many girls enrolled in primary schools as there are boys. Lack of books and supplies, high drop-out rates at all levels, and frequent teacher strikes have contributed to declining quality of education at all levels throughout the country. Unofficial regional and ethnic quotas in the university are designed to protect various ethnic groups from exclusion. Women's rights to own property and participate in the political and economic sectors are protected by law. However, married women must obtain their husband's authorization before opening a bank account, accepting a job, or renting or selling real estate. There is a growing number of women in the professions, government, and universities, and while the Government is focussing attention on the condition of women, their role is still somewhat restrained by custom.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: ZAIRE

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	26.4	28.6	24.0
LOANS..............	15.7	12.0	12.0
GRANTS..............	10.7	16.6	12.0
A.AID	6.9	10.6	10.3
LOANS..............	0.0	2.0	2.0
GRANTS..............	6.9	8.6	8.3
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	16.3	13.5	10.0
LOANS..............	15.7	10.0	10.0
GRANTS..............	0.6	3.5	0.0
TITLE I-TOTAL..........	15.7	10.0	10.0
REPAY. IN $-LOANS.....	15.7	10.0	10.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.6	3.5	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.6	3.5	0.0
C.OTHER ECON. ASSIST...	3.2	4.5	3.7
LOANS..............	0.0	0.0	0.0
GRANTS..............	3.2	4.5	3.7
PEACE CORPS.......	3.2	4.5	3.7
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	6.9	6.8	10.7
LOANS..............	6.1	6.0	7.5
GRANTS..............	0.8	0.8	3.2
A.MAP GRANTS..........	0.0	0.0	3.0
B.CREDIT SALES-FMS....	6.1	6.0	7.5
C.INTL MIL.ED.TRNG....	0.8	0.8	0.2
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	33.3	35.4	34.7
LOANS..............	21.8	18.0	19.5
GRANTS..............	11.5	17.4	15.2
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	33.0	22.5	39.2	854.6
IBRD	0.0	0.0	0.0	221.6
IFC	0.0	0.0	0.0	4.9
IDA	18.5	0.0	0.0	279.5
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	9.7	10.4	29.0	72.6
UNDP	4.8	8.0	0.0	58.3
OTHER-UN	0.0	4.1	10.2	26.3
EEC	0.0	0.0	0.0	192.4

ZAMBIA

Zambia is a one party state with a strong President, advised by a central committee of party leaders and governing through a cabinet and parliament, the National Assembly. Human rights are constitutionally guaranteed in Zambia, although the President possesses sweeping powers--conferred on him by emergency legislation in 1964 and by his presidency of the party--to suspend them in the "interest of state security." In accordance with the Constitution, the National Assembly also reserves the right to suspend basic constitutional guarantees. It is generally recognized that the gap between rights accorded under the Constitution and those actually enjoyed by Zambians today remains to be narrowed. Since National Assembly members of parliament must all belong to Zambia's single party, party views have a decisive effect.

During the long Rhodesian conflict, which severely strained Zambia's political and economic system, extraordinary powers generaly were used with restraint. An alleged coup plot in 1980 and serious labor unrest in 1981, however, led to a number of presidential detentions. These cases have been processed in accordance with Zambian law. The courts have released several of the detainees, while others are still on trial. Internal security remains a sensitive issue to the Government of Zambia, but no more prominent civic or military figures have been detained in over a year.

Zambian institutions such as the judiciary, press, and labor movement have come under increased pressure from central authorities in recent years but have so far maintained their status and influence. Zambia continues to serve as a country of first refuge for refugees in the region (from Angola, Namibia, South Africa, and Zaire), even though the end of the Rhodesian conflict removed its heavy burden of Zimbabwean refugees. Zambia's economy remains greatly depressed due to a combination of factors including the continuing world economic crisis and internal difficulties, severely limiting the resources available to improve citizens' standard of living.

It is unlikely that current trends in Zambian human rights will be altered so long as the nation and its leader are preoccupied with present economic difficulties.

1. Respect for the Integrity of the Person, Including Freedom from:

   a. Killing

The ebb and flow of conflict in the region, leading to availability of weapons and people to use them, has combined with the forces of poverty and unemployment to heighten the level of crime, including murder, in Zambia. While civil authority appears unable to stem the crime wave, there have been no officially sanctioned killings, nor is there evidence of any official involvement in the increasing level of murder which Zambia has experienced this year. Political murders are not known to occur although competition among members of the many African "liberation groups" seeking refuge in Zambia doubtless is a factor in some violent encounters.

b. Disappearance

Permanent disappearances among Zambians are virtually an unknown phenomenon. In instances of alleged disappearances, the individual has reappeared or been accounted for within a few days. Given the proximity of parts of Zambia to zones of conflict in Angola, Namibia, and Mozambique, partisan groups operate in those border areas with little effective Zambian control. There have been reports of politically motivated disappearances within Zambia of non-Zambian activists in Namibian or South African causes, but these have related to SWAPO and ANC internal politics.

c. Torture

Torture is specifically prohibited under the Constitution. Nonetheless, military personnel and police officers commonly resort to unnecessary brutality when arresting or interrogating people, especially in major criminal cases and those held to involve national security. Alleged victims of such mistreatment, however, have not been inhibited from registering their complaints through the courts. The courts have consistently rejected statements obtained from arrested persons under duress. The supreme court, in particular, has criticized arresting authorities in this matter. There is no record, however, that those responsible are identified and punished.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Cruel, inhuman or degrading treatment or punishment is not common. However, charges of maltreatment are occasionally made--most recently during the treason trial of the alleged 1980 coup plotters. Those allegations were made in an open court room with full press coverage. The high court has awarded damages to one detainee who was able to prove degrading treatment at the time of his detention in 1981. It is not known if the officials responsible were disciplined.

Zambian prisons are overcrowded, understaffed, and unsanitary, but there is no institutional differentiation in treatment of different categories of prisoners, for example, civil versus political. Medical facilities are limited, while rehabilitative facilities are virtually nonexistent. Prison system officials have stated openly that, given their continuing acute shortage of funds, it is difficult to meet inmates' basic needs. The need for upgrading Zambia's prisons remains an issue of public debate.

e. Arbitrary Arrest and Imprisonment

Under the state of emergency which has been in effect since independence in 1964, the President has wide discretion to detain or restrict the movements of individuals, a power which probably is exercised less than 50 times each year. A legacy of the previous colonial administration, detention procedures have been revised to conform with the provisions of the Constitution. Those revisions have increased, rather than diluted, the President's detention authority.

The President can prolong the incarceration of a detainee indefinitely, and he is not legally bound to accept a court's acquittal if he still suspects that the detainee is guilty. These powers are not always used. In August 1982, the high court acquitted four of the treason trial defendants for insufficient evidence, and the executive branch did nothing to hinder their release. By law, presidential detainees are entitled to: formal receipt of the reason for their detention; publication of their detention in the government gazette; access to counsel; frequent visitation by family and colleagues; immediate representation to the detaining authority; and the right to seek judicial review of the detention order after one year by an independent and impartial tribunal. Presidential detainees must have their cases heard by the high court and have the right of appeal to the supreme court. There are currently no presidential detainees known to be held in Zambia.

Habeas corpus is available to persons detained under presidential order, but the Government is not obliged to accept the recommendation of the review tribunal. One treason trial detainee who successfully obtained a writ of habeas corpus in November 1980 was redetained as soon as he left the judge's chambers. On the other hand, all four labor leaders who were detained in July 1981 were released without delay in October and November 1981 after winning writs of habeas corpus from the high court.

Law officers and defense personnel have extraordinary powers under emergency legislation. Police officers of assistant inspector rank or above may arrest without a warrant and detain an individual for up to 28 days if the officer has reason to believe grounds exist to justify a presidential detention order. However, the police must supply the detainee with the reason for his detention within 14 days, or the detention is void. This procedure is rigorously adhered to. Security officers also have broad powers of search.

The President's detention powers and other emergency powers have in the past been used against political opponents, Zimbabwean nationalists, dissident Namibians, Zairean rebels, striking university students and professors, violators of currency control regulations, foreign correspondents, alleged coup plotters, their accomplices, and labor leaders. In most cases detainees have been either released or formally charged once investigation of their cases has been completed. The process is slow (several months at a minimum), but for the most part it is reliable in assuring that the detainees' procedural rights are observed.

f. Denial of Fair Public Trial

The Zambian Government guarantees the right to a fair public trial. Presidential detainees are not automatically covered by this guarantee although the large majority have in fact been tried in public. The safeguards of English common law are provided in court cases. Zambian courts have resisted pressures of executive influence. Independent observation of sensitive political cases confirms the independence of the Zambian judiciary. However, the arrest of one of Zambia's most prominent lawyers in connection with the alleged 1980 coup plot, the deportation of a foreign lawyer representing one of those so detained, the transfer of a senior magistrate involved in the treason trial, the transfer of Zambia high court judges, and the non-renewal of an expatriate high court judge's work permit after granting writs of habeas corpus to detained labor leaders, have raised questions about the continued independence of the judiciary.

g. Invasion of the Home

The sanctity of the home is generally respected except in isolated incidents related to the national emergency and in some cases involving the deportation of illegal aliens. Security forces must normally have search warrants when investigating homes. Such warrants may be issued, however, by magistrates or police officers above the rank of sub-inspector, leading to interpretations of probable cause at some variance with those with which Americans are familiar. Other violations of the home generally do not occur.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The press regularly reports criticism of governmental policies expressed in the National Assembly and by the general public. The two national dailies are owned by the government and party respectively, but some criticism of government and party performance is permitted. Both papers have been sharply critical of government economic policies, and cases of corruption have been freely reported.

Direct criticism of the head of state and the national philosophy, "Humanism," however, is prohibited. The penal code states that any person intending to bring the President into "hatred, ridicule or contempt" is liable, on conviction, to imprisonment for three years or less. Few journalists have transgressed this prohibition; there have been only two or three minor convictions since independence.

Censorship of foreign publications exists but is not stringent. News reports from Western wire services are often rewritten by management before publication to reflect the newspapers' editorial perspectives on specific issues.

The law association of Zambia is currently preparing a handbook of key human rights legislation and pertinent legal cases in Zambia. When published, the handbook will serve as a basic reference guide for all those interested in human rights, including judges, lawyers, government officials, academics, and members of the public. Similarly, the law faculty of the University of Zambia has published widely on human rights issues affecting Zambia.

Academic freedom is a principle which enjoys considerable respect in Zambian society. Recent government efforts to require the teaching of "scientific socialism" led to wide debate and such opposition from educators and clergy that the idea has been shelved. The University of Zambia was closed for a significant part of the academic year in 1982 due not to debate over academic freedom but to student protests over school administration and discipline.

b. Freedom of Peaceful Assembly and Association

As with freedom of expression, the right of peaceful assembly can be circumscribed by the constitutional ban on all political activity outside the one-party structure. Nonetheless, substantial freedom has been permitted in practice.

All of Zambia's 18 labor unions are organized into the Zambia Congress of Trade Unions. Member unions are strong defenders of worker interests and enjoy the right of collective bargaining. Under existing legislation, strikes are permitted only for specific reasons and only after all other methods of resolving labor-management disputes have been exhausted. Virtually all of Zambia's strikes have been illegal, because they have been started before the process of mediation has run its course. Nevertheless, the Government has traditionally relied on persuasion and continued mediation to end strikes once begun. Although the the Trade Union Congress nominally operates under general supervision from Zambia's single party, it operates independently of party control or influence. Union spokesmen frequently question and challenge government policy. Internally, the Trade Union Congress is a democratic trade union and regularly conducts open elections to select its leadership.

c. Freedom of Religion

Freedom of religion is constitutionally guaranteed and has been supported by President Kaunda with the exceptions noted below. Christian missionaries have been quite active in recent years, although energetic or mass proselytizing (especially where open-air meetings are concerned) are cleared in advance by the Ministry of Home Affairs, a clearance usually granted. The Watchtower sect (Jehovah's Witnesses) are specifically prohibited by presidential order from proselytizing, but the Zambian supreme court has upheld their right to forswear political customs, such as singing the national anthem and saluting the flag. When local party militants harassed certain Watchtower groups during a countrywide voter registration drive in October and November 1982, senior party leaders stepped in to reaffirm the sect's freedom not to participate in such secular activities. Zambia has no specific state religion, and there is considerable harmony among the many sects represented in the country. Many of Zambia's large south Asian populations are Muslim and Hindu and have their own mosques, temples, and lay associations throughout the country. President Kaunda has encouraged community action on the part of religious groups in Zambia and has welcomed specialized religious organizations, such as youth groups, independent of party control or influence. Zambia's record of protecting freedom of religion came under scrutiny in 1982, however, when the Ministry of Education and party headquarters imposed the teaching of "scientific socialism" in Zambian schools--parochial as well as public. In the face of vigorous opposition from religious groups, the Government appears to have dropped the issue for the moment, but concern remains among church leaders that the program will be revived in the future.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The President may, under emergency powers, restrict the movement of individuals within Zambia. Foreign diplomats may not travel outside a 40 kilometer radius of Lusaka without written permission of the Ministry of Foreign Affairs. This restriction is enforced. The Government also reserves the right to refuse or withdraw passports to prevent foreign travel by individuals whose activities abroad are considered inimical to Zambian interests. The Government denied foreign travel to several individuals, including a prominent labor leader, in 1981 but allowed some of those same individuals to travel in 1982.

Recently, an American citizen agricultural adviser affiliated with the Mineworkers Union of Zambia was expelled from Zambia without specification by the Government of any illegal activity. Freedom to emigrate is permitted by the Government, but strict currency regulations make even holiday travel difficult. Zambian citizenship may be revoked under conditions stipulated in sections of the Zambian Constitution governing the acquisition, loss, and revocation of citizenship. The Citizenship Board is generally charged with application of the laws of the Republic of Zambia detailing conditions of citizenship and its loss, although the President has authority to grant citizenship on an extraordinary basis and to revoke citizenship granted under presidential powers.

Located in the center of strife-ridden southern Africa, Zambia presently provides a haven for over 50,000 refugees (37,000 Angolans; 6000 Zairians; 5000 Namibians; 2000 South Africans; and 300 from other countries). Approximately 31,000 refugees are considered "spontaneously resettled" as subsistence farmers in Zambia's northwestern and western provinces. The balance of the refugees are in refugee camps supervised either by the Government of Zambia - (12,000 refugees), SWAPO - (4,500 refugees), or the African National Congress (South Africa) - (2000 refugees).

In addition, 800 urban refugees report to the Lusaka branch office of the U.N. High Commission for Refugees (UNHCR). With the exception of the 800 refugees under UNHCR supervision, refugees in Zambia maintain a lifestyle comparable to that of Zambians residing in the same locality. The 800 UNHCR-supervised refugees, however, are discriminated against in that they are denied work permits needed to seek employment. Also, educational opportunities for their children are restricted.

In 1982 Zambia's reputation as a safehaven for refugees was damaged when, in March, several hundred Angolans, who were primarily bona fide refugees, were rounded up in the Mongu area of western province and imprisoned. Following several weeks of detention the Angolans were given the option of returning to Angola or resettlement in a refugee camp. Although most elected resettlement in a Zambian refugee camp, all were repatriated to Angola. Similar such roundups have since taken place and, despite UNHCR's best efforts, other genuine refugees have undoubtedly been involuntarily repatriated.

e. Freedom to Participate in the Political Process

Zambia is a one-party state with a strong President, advised by a central committee of party leaders and governing through a cabinet and parliament, the National Assembly.

Under the 1973 Constitution, the United National Independence Party became the only legal party in Zambia. About 10 percent of the population are party members. Candidates for political office at any level must be members of the party. They are subject to close examination for suitability by party authorities. There is considerable competition, often involving multiple candidacy, during the party selection process for parliamentary and lower level party positions. Expression of divergent political viewpoints generally decreases as candidates aspire to higher national posts. Within this one-party framework the elections are by universal suffrage, but the numbering of ballots (which can be cross-checked against voters' names) undermines secrecy of the ballot. In practice the Zambian political system is open to individuals of differing opinions provided they are willing to operate within the one-party structure and not challenge President Kaunda's preeminent position.

Zambia has recently (October - November 1982) completed a massive countrywide voter registration drive in anticipation of the 1983 presidential and parliamentary elections. In their zeal, many "party militants" harassed citizens who had not registered, although the party officially disassociated itself from their actions.

In 1978, the party amended its constitution to limit candidates to those with five years continuous party membership. The change was appealed by a prominent politician who had planned to run against President Kaunda that year, but it was upheld by the courts. As expected, President Kaunda was renominated by the party (only party members may run) and stood as the sole candidate in the December 1978 Presidential elections. He is expected to be the sole Presidential candidate in 1983.

The five-year rule of continuous party membership applies as well to 17 labor leaders who were suspended from the party during strikes in January 1981. Although the party has expressed its willingness to welcome them back into its ranks, it insists that they first purchase new membership cards. By so doing, they would tacitly admit that their heretofore continuous membership had lapsed. The Secretary General of the Trade Union Congress, elected to parliament in 1978, was denied his seat in the National Assembly in 1981 on this technicality.

Women participate freely in Zambia's social, economic, and political life. They hold some senior positions in the party and the Government and are represented in the professions and at the national university. At the same time, the great majority of Zambian women still occupy traditional roles in a society where rapid urbanization has served to undermine the importance of such roles. Female participation in the wage labor force lags far behind that of males. Half of all the women engaged in formal sector employment occupy the least remunerative jobs.

Under statutory law, women generally enjoy full equality with men. Customary law and practices still compete on a de facto basis in some remote rural areas with Zambia's Constitution and codified laws. In some areas customary practices, in contrast to statutory law, place women in subordinate or unequal status to men in matters involving marriage and property. The Zambian Government is supporting legislation which will offer equal protection and rights to women in matters of inheritance. Currently the laws governing inheritance give weight to customary (in some cases, discriminatory) practices.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

In its 1982 report reviewing events in 1981, Amnesty International expressed its concern about detention without trial and mistreatment of prisoners. The Zambian Government generally does not encourage or hinder such investigations.

4. Economic, Social, and Cultural Situation

The Zambian Government has stated that it is firmly committed to meeting the basic needs of its population. Zambia is among the leading African countries in its expenditures on education.

At present, the country is suffering from a sluggish economy marked by high inflation, serious unemployment, and scarce financial resources. Application of various economic remedies along socialist or centrally managed lines has not lived up to expectations as Zambia faces the depressed world situation. There has been a significant decline in Gross Domestic Product for the past several years. Real per capita income has fallen sharply below its level at independence 18 years ago and even nominal income has dropped from 1980. The expansion of social welfare programs has, therefore, had to be subordinated to overall economic needs.

President Kaunda advocates the need to diversify the national economy, with particular emphasis on developing Zambia's significant agricultural potential. The average income for rural inhabitants is estimated to be substantially less than one-third the average earnings of urban dwellers. This imbalance has generated heavy rural-to-urban migration (over 40 percent of the population is urban), exacerbating already high unemployment in urban areas. Scarce foreign exchange, limited managerial skills, faulty planning, and weak Government and party institutions continue to detract from the Government's ability to meet the economic needs of its people. Nationwide, unemployment is probably over a third of the potential work force.

In addition, the gap between the rural and urban areas in terms of income, education, housing, nutrition, and the availability of public services is vast and continues to increase in favor of the urban dweller. Eighty-six percent of the urban population has access to safe water, for instance, as opposed to 16 percent of the rural dwellers. Within the urban community itself there are also significant inequalities. The top 10 percent claim over 40 percent of the total income, the bottom 60 percent receive a mere 26 percent.

Women are accorded an increasingly active role in the development process. Recent primary school enrollment figures show that 89 females are enrolled for every 106 males. Moreover, female students can be admitted to secondary school with lower passing marks than male students as part of Zambia's "affirmative action" program. However, because many women are burdened with heavy household duties, their opportunities for advancement lag behind those of men. Within the context of Zambia's traditional society, their primary role is to have children. Zambia's birth rate, which stood at 2.8 percent in 1970, is now 3.1 percent according to the 1980 census which registered a 40 percent increase in population from 1969. The total fertility rate in 1979 was 6.1 live births per woman, one of the highest in the world. Life expectancy at birth is 46.7 years for males, 50 years for females. Barring a dramatic turnaround in Zambia's economy, its ability to sustain even existing social services will be seriously strained in the future by its rapidly expanding population.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: ZAMBIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	46.4	30.6	27.1
LOANS..............	32.5	25.0	22.0
GRANTS.............	13.9	5.6	5.1
A.AID	24.0	20.6	20.1
LOANS..............	20.0	15.0	15.0
GRANTS.............	4.0	5.6	5.1
(SEC.SUPP.ASSIST.)...	24.0	20.6	20.0
B.FOOD FOR PEACE.......	22.4	10.0	7.0
LOANS..............	12.5	10.0	7.0
GRANTS.............	9.9	0.0	0.0
TITLE I-TOTAL..........	12.5	10.0	7.0
REPAY. IN $-LOANS.....	12.5	10.0	7.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	9.9	0.0	0.0
E.RELIEF.EC.DEV & WFP.	9.9	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	46.4	30.6	27.1
LOANS..............	32.5	25.0	22.0
GRANTS.............	13.9	5.6	5.1
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	91.9	46.1	87.1	826.0
IBRD	25.0	26.0	11.7	575.0
IFC	37.5	0.0	34.4	75.8
IDA	15.0	0.0	0.0	37.3
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	17.4	9.7	9.5	62.2
UNDP	1.7	0.9	0.0	28.9
OTHER-UN	5.2	1.5	0.0	5.8
EEC	0.0	8.0	31.5	42.0

ZIMBABWE

Zimbabwe is the newest independent country in sub-Saharan Africa, having achieved internationally-recognized independence from Great Britain in 1980. Internationally-supervised general elections were held in February 1980, leading to a victory for the Zimbabwe African National Union Party led by Robert Mugabe, who formed a coalition government with Joshua Nkomo's Zimbabwe African People's Union. The Zimbabwe Constitution was developed with international supervision prior to independence, and contains protection for individual, political, and property rights. Legislative authority in Zimbabwe's parliamentary democracy resides in a Parliament consisting of a 100-member House of Assembly and a 40-member Senate. Executive authority lies with a Cabinet led by the Prime Minister.

The new Government has followed a policy of national reconciliation and respect for human rights throughout its first two and a half years, although recent tensions and internal violence have produced violations of that position. In February 1982, Prime Minister Mugabe ousted Joshua Nkomo and four of his party colleagues from the Cabinet after large caches of arms were found on properties belonging to the party. Two former leaders of the party's military wing were arrested at approximately the same time and were subsequently charged with treason and unlawful possession of arms of war. The breakup of the two-party coalition has led to increased tensions in the predominantly Ndebele populated southwest of the country, where Nkomo's party is based. Efforts by the Government to control this dissident activity have led to increased friction between the Ndebele minority (roughly 17 percent of the population) and the Shona majority (some 70 percent) which mainly supports Mugabe's party and the Government.

Prime Minister Mugabe has repeatedly stated that he intends to transform Zimbabwe into a one-party state. However, he has pledged to abide by the popular consensus, and to act in conformity with the provisions of the Constitution, which would appear to rule out a one-party state in the near future unless all 100 members of the Parliament voted to amend the Constitution, a highly unlikely occurrence.

At independence, the new Government affirmed its socialist ideology, but set out to build on and develop the existing (primarily capitalist and highly-developed) system as the best way to extend economic benefits to the poor majority. Prime Minister Mugabe emphasized racial, tribal, and political reconciliation, and assured whites that jobs and property would be secure if they remained in the country and supported the new Government. The predominantly white civil service and judiciary were retained, but qualified blacks have been promoted or hired to fill vacancies which have occurred.

The economy was functioning well at independence. Despite setbacks caused by serious foreign exchange shortages, transport bottlenecks, and the shortage of a large highly-skilled labor force as the result of white emigration, the economy is still very much intact. Although Zimbabwe has not reached the level of economic growth the Government had hoped to achieve by this time, the prognosis is good, and the Government's continuing pragmatism towards the private sector is a good omen for the economic future of the country.

The Government has charged that South Africa is attempting to destabilize Zimbabwe and that domestic political opponents are wittingly or unwittingly aiding South African efforts in both the political and economic fields. The Emergency Powers Act, a measure adopted during the guerrilla war prior to independence and allowing suspension of certain political and civil liberties, has been extended by the present Government. The principal extra-constitutional power exercised by the Government has been the ability to detain people deemed to be threats to security or public order, subject to judicial review.

Zimbabwe inherited a legal system based on the British common law tradition. The judiciary remains independent. Aside from matters the Government regards as directly related to the security situation, the rights of the person are generally respected, and in detention cases the courts make an effort to assure that the established norms are followed. However, there have been recent credible reports of torture of certain detainees during interrogation by security forces. Press freedom has diminished since independence, although criticism of government officers and policies still appears. A machine-gun attack on Prime Minister Mugabe's residence in June 1982, the kidnapping of six foreign tourists, and the destruction by sabotage of roughly one-fourth of Zimbabwe's air force in late July have been cause for concern by the Government. Excesses, which have occurred, appear to have resulted from the Government's efforts to track down and punish the perpetrators of these and other deeds. However, allegations of torture, if the torture proves to have had approval at senior government levels, would suggest a serious new breach of human rights in Zimbabwe.

Prime Minister Mugabe has evinced pragmatism and a commitment to reconciliation throughout his term of office. Of late, however, Zimbabwe has experienced an increasing breakdown of law and order. Mounting violence coupled with disrespect for law and order is causing some members of the white community, including the vital commercial farmers, to begin to consider the possibility of making plans to leave.

The trend for continued respect for human rights will depend to a large extent on whether the Government is able to bring about a solution to one of Zimbabwe's major problems, which is political tensions between the Shona and Ndebele peoples. Government efforts to impose its will on the people of Matabeleland by force have resulted in infringements of their civil and political rights.

1. Respect for the Integrity of the Person, Including Freedom From:

   a. Killing

There have been no allegations or reports of officially-supported or sanctioned killings for political purposes in Zimbabwe. There have been numerous killings throughout the year by elements referred to by the Government as "bandits," meaning common thieves motivated by economic pressures, and "dissidents," meaning lawless elements motivated by political or ethnic considerations. Some of these killings have been political and included the settling of old scores from the independence struggle. Others appear to have been victims of circumstance; robbery victims who resisted and were slain, for example. The total number of such killings was probably no more than 35 in the first category, and perhaps 150 in the second. Precise figures are difficult to obtain.

Government security forces have mounted a vigorous anti-dissident campaign which has had some success in controlling the security situation. There have been allegations that some of the dissident activities are supported by the South African Government, but Zimbabwe officials have stated that other neighboring countries have been cooperating with their security efforts.

b. Disappearance

There were several cases in 1982 in which people were arrested or detained by official security forces without public knowledge or announcement. However, the fact of a detention usually has come to public attention quickly. There have been no known cases of government-sanctioned "disappearance" for prolonged periods. There is no confirmation that any detained persons are in fact dead, but there have been allegations that this is the case. On several occasions members of Parliament have called for an accounting of persons in detention, but the Home Affairs Minister has refused to respond to such questions.

There have been some instances of disappearance resulting from dissident activity, most notably the kidnapping in late July of six foreign tourists, including two Americans. The ransom demands issued at the time of the kidnapping were political in nature.

c. Torture

The Constitution states "no person shall be subjected to torture or to inhuman or degrading punishment or other such treatment." There have, however, been allegations that various prisoners, including senior Zimbabwe air force officers arrested in an investigation of the sabotage of aircraft in July, were tortured during their interrogation. Attorneys for the officers have alleged that torture was carried out. Methods used reportedly included disorientation techniques such as sleep deprivation as well as electric shocks. Insofar as the Government has addressed the charges publicly, it has denied them, although there is a judicial inquiry into this matter.

The trial of a former Member of Parliament was thrown out of court when the main prosecution witness recanted the allegation he had earlier made to police. He stated in court that his earlier statements were made "under wallops," but that he was telling the truth in open court. He and two other witnesses, whose testimony was much less damaging to the defendant than the prosecution expected, have been arrested and may be indicted for perjury. The charges of torture during interrogation in this case appear to be true. The Government has stated that anyone found guilty of mistreatment of prisoners will be punished.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

As noted above, there have been credible allegations of torture during interrogation. There have been no reports, however, of summary executions or severe physical punishments administered as sentences for crimes during 1982.

Prison conditions are spartan but not unusually harsh. Diet, clothing, and exercise are governed by regulations; deprivation of necessities is not used as a disciplinary measure. Living conditions are sometimes crowded, with as many as 100 prisoners sharing a large room. More than 60 percent of black prisoners now sleep on beds -- virtually none did before independence.

The diet of all prisoners has been raised to that served to white prisoners at independence. Some 85 percent of the senior officers in the prison service are now black. Many prisoners are required to do manual or farm labor at prison facilities.

e. Arbitrary Arrest and Imprisonment

There have been several reported cases of arbitrary arrest and imprisonment. The Constitution guarantees that no person shall be arrested or detained except by court order or "reasonable suspicion of his having committed or being about to commit a criminal offense." The Constitution also provides that a state of emergency may be declared by the Government, enabling the President to enact Emergency Powers regulations. Such a declaration is still in effect, having been carried over basically intact from the Smith Government at independence. One section of the Emergency Powers regulations provides detention powers for the Home Affairs Minister and police officials acting under his authority. Any police officer may arrest and detain, without a warrant, a person he believes deserves detention. The Home Affairs Minister may also arrest and detain any person if this action appears expedient in the interests of public order and public safety. Any detention order, by a police officer or by the Minister, must be examined by a review tribunal within 30 days. If the tribunal finds no merit to the case, the detainee is released, unless the Minister persuades the President to override the tribunal's decision. If the tribunal recommends that detention continue, it does so until revoked by the Minister, or until the detainee is indicted. Detention orders must be reviewed by the tribunal every 180 days.

A detained person is entitled to hear the reasons for his detention "as soon as reasonably practicable -- but in any case not later than seven days" after arrest. The detainee is also entitled "to obtain and instruct without delay a legal representative," and is entitled to compensation for unlawful arrest and/or detention. Exact figures on the number of people detained under the Emergency Powers Act are not available because of the Government's refusal to divulge this information. Approximately 200 people are believed to be detained without trial. Procedures for an appeal of habeas corpus in Zimbabwe are virtually the same as in the United States and the United Kingdom. Any arrested person may demand, in court, that the evidence leading to his arrest may be presented. In the case of detention orders, as a matter of practical politics, the writ issued by the Minister of Home Affairs ordering a detention is usually sufficient to meet the requirement for evidence.

Two journalists of the country's main newspaper were detained in August 1982. No charges were brought against them, and they were released after nearly one month. Both subsequently left the country, and there have been credible reports that they were "encouraged" to do so at the time of their release.

Two brothers were held without charges for several months, after having been acquitted in court of charges of plotting against the Government. They were released from detention when the courts ruled that they should have been informed of the reason for the detention, but the Home Affairs Minister immediately had them rearrested and subsequently refused to produce them in court when ordered to do so. They were finally released after a direct appeal to Prime Minister Mugabe by their parents.

Several leaders of the Nkomo party and its military wing were held without formal charges from early 1982 until the fall, pending investigations. The Home Affairs Minister issued a writ preventing bail during their detention, and ultimately they were charged on counts of treason and possessing arms of war.

f. Denial of Fair Public Trial

The Constitution outlines rights of defendants in the Zimbabwe court system. The accused is guaranteed a "fair hearing within a reasonable time by an independent and impartial court," the presumption of innocence, the right to counsel of his choice, clear and detailed charges, the right of cross-examination of witnesses, the right of appeal, and freedom from double jeopardy. The accused is not guaranteed the right to refuse to testify at his own trial. The accused also does not have the right to remain silent, but must make a public statement to the authorities. If the accused is asked to testify at his own trial and refuses, according to the law an adverse inference will be drawn.

The Constitution requires that all trials and verdicts be public, except where the interests of justice, the national interest, or the private lives of people involved would be unnecessarily prejudiced. In practice, there have been instances where hearings and trials were closed to the public and the results handed down in a sealed verdict. Defendants are accorded the right of counsel, although occasionally they do not have access to a lawyer immediately upon being detained. When formal charges are brought, they are formally and clearly stated, but there are several persons who have been held for lengthy periods without being formally charged under the detention provision of the Emergency Powers Act.

The judiciary is independent from the executive and the military. There was some controversy in 1982 between the courts and the executive over the refusal of the Home Affairs Minister to release the brothers mentioned above, but a final showdown was averted. The Chief Justice ordered that the Home Affairs Ministry pay all court costs in that case, since the Minister was found to be at fault. Military courts deal entirely with military matters and do not hear civilian cases.

g. Invasion of the Home

The Constitution protects citizens from arbitrary search or entry. Entry without a warrant is permitted when "reasonably justifiable" in the interest of "defense, public safety, public order, public health, or town and country planning," as "for the enforcement of law in circumstances when there are reasonable grounds for believing that a search or entry is necessary for the prevention, investigation, or detection of a criminal offense." Otherwise warrants would be issued by the court in the jurisdiction involved. There have been some allegations of abuse of this authority by government officials. There have been no allegations of other violations of the home, such as "bugging," by Zimbabwean officials.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Although the Government supports freedom of speech and of the press in principle, there were instances in 1982 where these freedoms were somewhat abridged. Opposition viewpoints are freely and frequently ventilated, both in the Parliament and, less frequently, in the press. Criticism of the Government is tolerated, providing the level of rhetoric does not pass beyond certain bounds. The only known censorship of publications or films is the banning of certain works ruled to be excessively violent or pornographic. Otherwise, books and magazines appear to enter the country freely. Academic freedom permits wide-ranging and lively debate at the university and among scholars in the country.

The major newspapers in the country, which used to belong to a South African-based group, are controlled by the government-established mass media trust. The trust has not exercised direct editorial control, and appears presently to confine itself to managing the financial side of the publications. Nonetheless, there has been considerable turnover in editorial personnel at the papers. Those presently in charge reflect and support, to a greater or lesser extent, the Government's policies and programs. The radio and television stations are government-owned and controlled, and generally base their coverage on the official version of events. There is still much greater reflection of the Government's views on the airwaves than in print.

The most flagrant example of government intimidation of the press occurred with the arrest of two journalists, a deputy editor and a senior reporter for Harare's daily newspaper, the "Herald". No charges were ever filed against them, and rumors abounded as to the reasons for their arrest. They were finally released after almost a month in detention. Although the director of the mass media trust said they were free to return to their jobs immediately, both apparently chose instead to heed an unofficial warning and promptly left the country.

In another instance, the "Herald" ran an editorial strongly critical of reports by foreign journalists based in Harare. The proximate cause was a press conference held in a journalist's office, at which attorneys accused the Government of torturing their clients during interrogation. The editorial writer accused the foreign journalist of blocking attendance by Zimbabwean reporters, and called on the Government to re-examine its procedures for granting accreditation to foreign reporters. Nothing has come of this call, but it can only have a dampening effect on journalistic freedom in Zimbabwe.

b. Freedom of Peaceful Assembly and Association

The Constitution provides that "no person shall be hindered in the enjoyment of his freedom of assembly and association...right to assemble freely and associate with other persons, to form or belong to political parties or trade unions or other associations for the protection of his interests." There are restrictions on peaceful public assembly, and persons who intend to hold public political meetings must obtain the prior approval of the Ministry of Home Affairs. There have been several cases where police authorities have refused with no explanation requests by Joshua Nkomo's party or Bishop Muzorewa's party for permission to hold political rallies in Harare. In general such rallies are approved without comment.

An umbrella labor body, the Zimbabwe Congress of Trade Unions was formed in 1981 and is trying to consolidate what it calls "splinter unions." Prior to independence, there were, in many industries, parallel unions -- those with a small, white membership and large financial resources, and black unions with large membership and few resources. The Government has now stated that there should be only one union per industry, and these rival unions are slowly uniting and trying to find a modus vivendi. Organizations known as "workers' committees" also exist at some workplaces, and have taken responsibility for on-the-job issues such as worker safety. Their formal relationship with the labor unions remains to be established. Only about one-quarter of the work force in the modern sector is organized.

The Industrial Conciliation Act prohibits both spontaneous strikes and lockouts, requiring instead that parties must first negotiate disputes and refer them to arbitration by a court if various bodies created by that law cannot get the parties to agree. If a union rejects the final arbitration decision, it may, after a 30-day cooling off period, signal its intention to strike. Since independence, labor disputes have never reached that stage, nor has anyone been prosecuted for striking. Strikes have generally achieved their purpose of highlighting grievances and achieving wage and benefit increases. It has been government policy to take no action against these labor actions.

No professional groups or scientific bodies have been persecuted by the Government. All unions and professional bodies are permitted to maintain active relations with relevant international bodies. There are no known International Labor Organization concerns.

c. Freedom of Religion

Freedom of religion is fully respected in Zimbabwe. There is no state religion, nor is any one sect or belief favored by government policies. All religious denominations are permitted openly to practice and to teach their beliefs. There are no restrictions on conversion between religions, and there have been no reports of any discrimination, harassment, or persecution of persons within Zimbabwe for their religious beliefs. Likewise, there is no known advantage or disadvantage resulting from adherence to any particular faith.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Apart from occasional imposition of curfew restrictions on certain areas of the country because of security concerns, there are no restrictions on travel within Zimbabwe, or on areas of residence. Emigration is not restricted, although there is a limit to the amount of currency and personal property which an emigrant may take out of the country. The majority of emigrants since independence have been whites. The Government has taken no steps to impede their departure. Likewise, the Government has welcomed back into the country the repatriates, most of whom were in exile during the independence struggle. The Government maintains a list of prohibited immigrants, but all names put on the list by the previous Government have been removed.

The Government is considering a bill at present which would modify the Lancaster House Constitution to permit revoking the clause which permits dual citizenship. This is intended to oblige those in the country who hold foreign passports to choose which country has the true claim to their loyalty. The proposal of this bill has caused concern among many whites, who fear that those who chose nationalities other than Zimbabwean would thereafter be subject to economic or political persecution or discrimination. The Government, however, has repeatedly stated that there is no such intent behind the bill.

Many members of the current Government spent some time as refugees themselves, and government policy towards refugees has generally been good. Over 100 South Africans have sought and been granted refuge in Zimbabwe since independence. More recently, refugees fleeing instability in Mozambique are reported to have crossed the border into Zimbabwe, where many of them have historical or family ties. The Government does not yet have an organized program for dealing with these refugees, but is taking steps to meet their needs.

e. Freedom to Participate in the Political Process

Nine parties contested the February 1980 elections which brought Robert Mugabe's party to power. All the contending parties were given free media time and held campaign rallies. Most of those parties continue to exist, including the Republican Front, the major white party. Party politics, switches of allegiance such as the breakaway of nine white members of parliament now known as the "Independents," and the fortunes of various leaders, are the topics of animated conversation and media coverage throughout Zimbabwe.

When Mugabe was chosen as Prime Minister he formed a government including members of Joshua Nkomo's rival party. In February 1982, Mugabe ousted Nkomo and four other members of Nkomo's party from the Cabinet after large arms caches were reportedly found on the party's property. The present Government is controlled by the Zimbabwe African National Union, with token representation by the Zimbabwe African People's Union and independent whites.

The Government has become increasingly intolerant of the opposition. Mugabe has warned that the policy of reconciliation with former opponents, while still a cornerstone of official thinking, will be applied only to those who are willing to reciprocate and accept that the country should be changed along the lines of the Government's program. Mugabe has said that he favors creation of a one-party state. He has repeatedly stated, however, that he will only move in this direction in accordance with the Lancaster House Constitution, and provided he receives a popular mandate to do so. Such a mandate would be sought probably through a referendum, and probably not until after the general elections of 1985 at the earliest.

Those elections which have been held since independence have reflected the freedom of choice of the 1980 general elections. Voting patterns continue largely to reflect ethnic division, with the majority of local offices and municipal councillorships being won by Zimbabwe African National Union candidates, with a sprinkling of Zimbabwe African People's Union victories. In balloting by white members of parliament to replace a white senator who had retired, the Independents carried over the Republican Front, and a white female took over the vacant seat. On the other hand, a by-election among white voters in the Bulawayo area, to replace a white member of parliament who had fled the country, led to a victory for the Front candidate, who won 54 percent of the votes cast. The Republican Front has won all the by-elections for white assembly seats.

Debates in the 100-member House of Assembly are lively and well-attended, especially by the white members of parliament (who hold 20 of the seats under the Lancaster House Constitution). There have been several instances, including a bill to revise the university charter, where it became evident from the debate that the legislation being discussed was either badly written or controversial, and the Government has withdrawn it from consideration. Improved versions submitted later passed.

Women are active in politics in both major parties, and to a lesser extent in the white parties as well. There are two women ministers and one woman deputy minister.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Investigations for alleged violations of human rights by the Government of Zimbabwe have not been sought by any international or non-governmental organization, insofar as is known. Press reports of alleged violations of human rights have produced occasional calls for stricter controls on reporters in Zimbabwe. There appear to be no organizations monitoring human rights located within the country. In its 1982 Report, covering 1981 events, Amnesty International expressed its continuing concern about the existence of emergency legislation providing for detention without trial. In its 1982 survey, Freedom House categorized Zimbabwe as "Partly Free."

4. Economic, Social, and Cultural Situation

Since independence, the Government has taken important steps to improve the living standards of Zimbabwe's blacks by developing and implementing plans to reduce the substantial inequality between blacks and whites. The minimum wage has been raised twice, and the Government has begun a deliberate program of Africanization. It has decreed that primary education shall be available for all children, and has cared for and resettled over a million war refugees.

The total population is estimated by the Government to be 7.9 million and by the World Bank to be 8.2 million. Estimates of the population growth rate range between 3.4 and 4.3 percent. Life expectancy at birth is estimated by UNICEF to be 55 years, and UNICEF also estimates the infant mortality rate at between 100 and 120 per 1000 live births. The end of the war and the Government's efforts to provide greater health care services to all Zimbabweans may continue gradually to expand life expectancy. If present trends continue, Zimbabwe's population could reach 20 million by the year 2000 A.D. The present adequate supply of food cannot meet the needs of so large a population, and the Government has started a child-spacing project to slow the population growth rate.

More than 50 percent of the population is reportedly below the age of 15. This has meant a phenomenal increase in school enrollment since independence. Primary school enrollment is estimated to be at least 90 percent, and the total number of children enrolled in primary schools doubled from 1981 to 1982. Enrollment at entry level in secondary schools is reported to have risen from 27 percent to 73 percent in the same year. The adult literacy rate, on the other hand, is about 45 percent for the total population. The Government is supporting programs to increase literacy among the black population.

The nationwide per capita GNP is estimated at between $628 and $460, depending on the population figure used. In fact, these figures are misleading, for there are, in effect, two Zimbabwean economies -- the wage or modern economy and the subsistence or traditional economy. The median income for whites is over ten times that for blacks. Until the results of the 1982 Zimbabwe census have been analyzed, it is impossible to estimate accurately the percentage of the population below the absolute poverty level.

Under the present Government, most efforts to create infrastructure to meet the economic and social needs of the population are concentrated on the black population, in an attempt to redress the serious racial imbalance of the pre-independence regimes. The Government has stated repeatedly, however, that it does not intend to practice racial discrimination in the delivery of services, and there is no evidence of such discrimination occurring in practice. The right to own property alone or with others is well established in Zimbabwe and there are no efforts to change the system in that regard.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: ZIMBABWE

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	22.9	27.8	75.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	22.9	27.8	75.0
A.AID	22.9	25.0	75.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	22.9	25.0	75.0
(SEC.SUPP.ASSIST.)...	22.9	25.0	75.0
B.FOOD FOR PEACE.......	0.0	2.8	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	2.8	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	2.8	0.0
E.RELIEF.EC.DEV & WFP.	0.0	2.8	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.1
A.MAP GRANTS.........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.1
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	22.9	27.8	75.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	22.9	27.8	75.1
OTHER US LOANS..........	0.0	33.3	6.1
EX-IM BANK LOANS.......	0.0	33.3	6.1
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	2.9	134.4	12.2	240.9
IBRD	0.0	92.0	0.0	179.0
IFC	0.0	38.0	0.0	38.0
IDA.	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	12.2	12.2
UNDP	0.5	1.3	0.0	5.6
OTHER-UN	2.4	3.1	0.0	6.1
EEC	0.0	0.0	0.0	0.0

CENTRAL AND SOUTH AMERICA

ANTIGUA AND BARBUDA

A British colony until 1967 and afterward an associated state with the United Kingdom, Antigua and Barbuda gained its independence on November 1, 1981. The new nation's independence Constitution is patterned after the long-established Westminster multi-party parliamentary tradition and incorporates respect for human rights. The Government of Antigua and Barbuda strictly adheres to the precepts of rights and equality for all its citizens and seeks to avoid international criticism of itself in any area of human rights.

Throughout most of its history Antigua was primarily an agricultural territory, relying heavily on sugar as its principal crop. In more recent times, as a result of changes in official policies and land-holding practice, the cultivation of sugar and other agricultural activities have declined greatly. This can also be accredited to the early 1960's consciousness-raising efforts of those who sought to free the black Antiguans and Barbudans from the "suppression" of field work which carried the psychological and social stigma of historic slave labor. For these reasons the traditional economic mainstay of sugar production has now largely been supplanted as a foreign exchange earner by tourism. Antigua's beaches and harbors have drawn thousands of visitors from North America and Europe. Tourism is now by far Antigua's largest industry.

The sister island of Barbuda, almost as large as Antigua but sparsely populated, is considered to be one of Antigua's major political problems. The tiny island dependency wants to sever its ties to Antigua and either become independent or revert to crown colony status. Barbuda's quest for separatism stems not from any perceived slight, mistreatment or violation of rights, but rather from a desire to have equal, as opposed to subordinate, status with Antigua.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

No instances of political killing were reported in 1982.

b. Disappearance

No disappearances, clandestine detention, or abductions were reported in 1982.

c. Torture

Torture is expressly prohibited by the Constitution. That prohibition is respected in practice.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such treatment and there have been no reports of violations. In one instance in late 1980, a Rastafarian cult youth died in police custody under mysterious circumstances. The Government took an active role in investigating and bringing to justice the police officers involved. Prison conditions are humane and no incidences of mistreatment have been reported.

e. Arbitrary Arrest and Imprisonment

Arbitrary arrest and imprisonment are constitutionally prohibited and are not practiced. Habeas corpus is a legal guarantee and any person detained must be brought before the court within 48 hours.

f. Denial of Fair Public Trial

A fair public trial is guaranteed by the Constitution, and there have been no reported instances where this provision has not been respected in practice. The regional West Indies Court of Appeal, widely respected for impartiality, serves Antigua and Barbuda. The judiciary acts independently and is not subject to interference by the executive, legislative, administrative or enforcement branches of government. All detainees are granted access to legal counsel, and a public defender is available.

g. Invasion of the Home

Arbitrary entry and search are specifically forbidden by the Constitution and are unknown in practice. Consent of the individual and a legal warrant are required to affect entry into and search of personal residence and property.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These rights are specifically noted in the Constitution and respected in practice. Antigua's press is very active. There are two newspapers published by political parties representing varying viewpoints. The principal radio station is government-owned and is acknowledged to report the news accurately and in a manner which reflects differing opinions. There are in addition one privately-owned radio station and several stations owned by religious organizations.

b. Freedom of Peaceful Assembly and Association

Freedom of peaceful assembly and association are guaranteed in the Constitution and respected in practice. Antiguans of all political persuasions are outspoken and political rallies by all groups are commonplace. Freedom of assembly and association are extended to all groups, including labor unions, which have and exercise the right to organize, negotiate, and strike. There are two main unions, one associated with the Government and one with the opposition party. Neither, however, is controlled by its associated party. The two unions act independently and wield considerable political weight. No interference in or suppression of their activities has been reported.

c. Freedom of Religion

Freedom of religion is constitutionally guaranteed and respected in practice. There are many religious denominations, as well as several radio stations owned by religious organizations.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Antigua and Barbuda's Constitution guarantees these rights, all of which are honored in practice. There has been no known instance of refugee resettlement in Antigua and Barbuda.

e. Freedom to Participate in the Political Process

Antigua's political process is lively and representative, encouraging participation by all sectors of the society. Opposition parties are not strong in Antigua, but are free to work in any legal way to increase their standing. Women participate on an equal legal footing with men, and they hold positions in the civil service, although social tradition has limited their seeking elective office and role assignment still constrains their role in public service. There are no women currently in either elective office or appointed position.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights.

There have been no expressions of interest in Antigua and Barbuda by international and non-governmental human rights groups, nor any requests for investigation. Antigua and Barbuda has not yet signed the American Convention on Human Rights. Freedom House's 1982 report classifies Antigua and Barbuda as "free."

4. Economic, Social, and Cultural Situation

The Antiguan economy is heavily dependent on tourism which, according to World Bank estimates, directly and indirectly accounts for almost half of GDP. In 1981, GDP was estimated to be approximately $106.4 million or about $1,400 per capita.

In the past, Antigua was an agricultural island, but agriculture now accounts for less than 15 percent of GDP. Rebuilding the agricultural sector is an important priority for the government, but unless agricultural work can be successfully disassociated from slave labor in the minds of the Antiguan and Barbudian laborers, it is unlikely that any major progress will be made.

The manufacturing sector accounts for approximately 15 percent of GDP and is concentrated in the appliance assembly and garment industries. The Government is actively seeking foreign investment and is seriously interested in working with other eastern Caribbean states to open a joint investment promotion office in the United States.

Over the past two years approximately 10 percent of Antigua's capital development program has been devoted to education and health. The adult literacy rate was 88.7 percent in 1981, while, according to the latest available statistics, 80 percent of eligible children are enrolled in primary schools. No similar statistics are available for secondary school or university levels, but the figures are considerably less. The unofficial development plan for 1982-86 allocates approximately four percent of the country's capital development funds for education. Over a third of that money will be dedicated to secondary and post-secondary education.

The population of Antigua is approximately 79,000 (1981) and increasing at the rate of 1.3 percent per year. Health care in Antigua has improved over the past 15 years as illustrated by a drop in infant mortality from 68.7 per 1,000 live births to 31.5; nevertheless, the Antiguans recognize health care as a problem area and are allocating approximately three percent of their capital budget over the next four years to the health sector, concentrating primarily on improvements for the island's hospital. Additional funds have been allocated to extending the percentage of the population enjoying piped water and regular sanitation service.

ARGENTINA

The Argentine armed forces have held power since 1976. The military government instituted major changes, however, in 1982, easing restraints on political and civil liberties and committing itself to elections by not later than November 1983, with the restoration of a constitutional Government set for not later than March 1984. These changes occurred in the wake of severe and growing economic problems and Argentina's defeat in the Falklands/Malvinas conflict. They followed six years of military rule, characterized by the use of harsh measures to end terrorism and curb political dissent, severe limitations on political activity, and the frequent lack of protection of individual rights. During that time, the Government was unable to establish a solid basis for economic growth or a basic political restructuring.

In June 1982, President Galtieri was replaced by General (Ret.) Reynaldo Bignone. The new administration lifted the formal ban on political activity on July 1 and in August promulgated a political parties law which required new registration of party members to be followed by internal party elections in preparation for the national elections. Trade unions, while circumscribed by government intervention dating from 1976, have been free to function in many cases as though there were no controls. Late 1982 witnessed an upsurge in political and labor activity. Political parties (including the communists) staged large rallies, human rights groups held demonstrations, and labor organized a successful national strike. At least 100,000 people, organized by political, union, and human rights groups, took part in a "March for Democracy" in downtown Buenos Aires in mid-December. The overall result has been a major change in the exercise of political rights during the second half of 1982.

The press also has been less inhibited in 1982 than at any time since the early 1970s. Criticism of government policies and programs became a matter of course. Four small publications were closed briefly late in the year, but overall freedom to discuss sensitive political and social questions expanded markedly. In the electronic media, sensitive subjects have been openly treated on radio, but less so on state-owned television.

The judicial system displayed greater independence in 1982. The Supreme Court overturned a military court ruling for the first time. Lower courts have been increasingly receptive to habeas corpus petitions filed on behalf of prisoners held under state of siege powers. The courts ruled in favor of three of the periodicals closed by the authorities. Prison conditions continued to draw criticism from inmates and their families. However, earlier reforms were reinforced; courts have heard prisoner-abuse cases and punished guards found guilty.

Despite the significant expansion of civil and political liberties, incidents of violence occurred in 1982 which many believed to have been provoked by elements linked to the state security organizations but operating without the sanction of the Government. These uncontrolled elements were widely held responsible for harassment and threats against human rights activists and foreign and Argentine journalists, for the abduction of several people who later reappeared, and for two murders. Some observers interpreted these efforts as attempts by dissidents within, or associated with, the security forces to undermine the Government's movement toward constitutional and civilian rule.

There were no reported disappearances in 1982. Human rights groups and some political parties have concentrated on efforts to force an accounting for past disappearances which numbered in the thousands, including appropriate punishment of those responsible. These efforts gained impetus when the press reported that unmarked gravesites contained the bodies of persons who disappeared during the mid-to-late 1970s. Given the widespread belief that many of the disappeared were killed with the complicity of official security personnel, this issue is a highly sensitive and important one for the return to democratic government. The Government initiated efforts to try to reach an understanding with future civilian leaders on this issue prior to the departure of the military Government. By late 1982, the Government is believed privately to have provided information to family members regarding deaths and burial sites in approximately one fifth of the cases of persons whose disappearance was reported to the Government between 1974 and 1982.

The Government accelerated releases of state of siege political prisoners, held under special state of siege powers, freeing approximately 425 in 1982. The number of such prisoners was reduced to 243 at the end of the year.

Argentine human rights organizations have experienced greater freedom of action, particularly since the inauguration of the Bignone administration. In an impressive showing, about 10,000 people marched in downtown Buenos Aires in October 1982 and then a much larger march took place in December. The relaxation of restrictions on civil and political liberties has permitted greater press attention to the activities of human rights groups and encouraged prominent Argentine figures to lend their support. Urged on by humanitarian groups, many political leaders have endorsed objectives of the human rights movement.

The Argentine Government has adopted varying economic policies since 1976 but the major thrust has been toward greater reliance on the free market, albeit within a context of extensive existing state controls. Argentina was beset by a number of severe economic problems in 1982 including high levels of inflation, a deepening recession, which reduced real wages, and increased unemployment.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

The two reported killings for apparent political motives were those of Ana Maria Martinez, said to be active in the Trotskyite Socialist Workers Party, and Marcelo Dupont, whose brother claims he has evidence in a case of murder that occurred in 1978. Neither case has been resolved. Many observers believe that these two murders may have been perpetrated by individuals with links to to the police or military operating outside the control of the Government. The Government has promised thorough investigations.

b. Disappearance

There was no evidence of disappearances in 1982. Various human rights organizations have reported some persons as disappeared. In all twelve instances cited, persons abducted, detained, or temporarily missing returned home or were released within several days of their initial absence, with the exception of one individual who remains in acknowledged detention on criminal charges. According to human rights organizations, some abductors reportedly told their victims that they represented a state authority, from which the humanrights organizations inferred official complicity. The Government disclaimed responsibility for the abductions.

Demands that the authorities account for the large number of people who disappeared in the past became a major national issue in 1982. Considerable disagreement remains as to how many persons disappeared. The most carefully documented list, compiled by the Argentine Permanent Assembly for Human Rights, contains approximately 6,000 names. Other estimates are much higher. It is generally believed that most of those who disappeared over the years are dead, many as a result of actions by security forces but also some at the hands of terrorist groups.

In late 1982, the press, political parties, and human rights organizations joined in demanding investigations of unmarked graves recently identified and thought to contain the bodies of some of the disappeared and calling for legal action against those responsible. Several foreign governments also renewed active efforts in late 1982 to seek an accounting of their nationals or descendants reported as disappeared. The Argentine Government has received approximately 6,600 requests for information on the whereabouts of disappeared persons and is believed to have provided information to family members on the deaths and in some instances the location of the remains of the disappeared in about 1,450 cases. On September 29 the Minister of Interior publicly said the Government will continue to collect information about disappearance cases and provide it to relatives.

c Torture

The Argentine Constitution prohibits the use of torture, but its use has been noted in both human rights and common criminal cases. The courts have sought to curb its use. Most of the persons reported as temporarily missing in 1982 claimed to have been subjected to torture by electric shock or the placement of plastic bags over their heads causing suffocation. In March, the Buenos Aires Lawyers' Association denounced what it referred to as the continuing, systematic use of torture by security officials. The Lawyers' Association of Salta Province at mid-year charged that inmates at the local penitentiary were tortured and brutalized regularly by guards. In October, four policemen were arrested by judicial order on charges of torturing criminal suspects. The Supreme Court in November ordered an investigation into a judge's conduct in connection with allegations that she and other judges had witnessed prisoners being tortured by security forces, as reported by a journalist in an article published in a daily newspaper in October.

Allegations of police brutality continue to appear. Both the press and the Government have denounced cases of prisoner abuse and encouraged judicial investigations. In February, as a result of a court investigation, 12 police officers were tried for beating a detainee who subsequently died of his injuries. In July, a federal judge sentenced a prison guard to three years imprisonment for beating several immates at Caseros penitentiary. Court action was initiated against seven police officers in Cordoba province and six in Mendoza, all charged with abuse of prisoners, but no verdicts have been rendered yet.

Following strong editorial criticism of torture and police brutality, Minister of Interior Reston on September 10, 1982 ordered provincial governors to take steps to eliminate the use of torture or brutality by provincial and municipal police and to prevent general mistreatment of prisoners. The Minister ordered severe measures taken against officers guilty ofexcesses. The Supreme Court overturned a lower court's conviction of an individual on the grounds that his confession was obtained through torture.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The Government continued in 1982 implementing reforms initiated in 1980 to improve prison conditions for those detained on security grounds. There was general agreement that treatment of persons detained for other than common crimes improved markedly, including acceleration of state of siege prisoner releases in 1981 and 1982. Some of those recently released say the greatest improvement in conditions began following the Falklands/Malvinas War. The International Committee of the Red Cross has free access to prisoners to conduct inspections. Application of the test of reasonableness to the severity of sentences continued to be a factor in the greater role played by the courts in granting habeas corpus rulings in the case of prisoners held for security reasons.

Human rights organizations continue to maintain, however, that political prisoners are consistently treated more harshly than other inmates. Allegedly, stricter vigilance, limited facilities for exercise and rest, and inadequate medical care lead to greater psychological and physical strains than is the case for common prisoners. One suicide of a prisoner held for security reasons (Jorge Toledo in Caseros prison) was reported in June 1982.

e. Arbitrary Arrest and Imprisonment

The Argentine penal code, promulgated in 1924, gives the police and courts broad authority to detain persons and hold them incommunicado for up to eight days. Even in the case of minor offenses, the holding of suspects incommunicado for a few days is common. Apart from this authority, the Constitution confers power on the executive branch to detain and hold prisoners under a state of siege; one has been in effect in Argentina since November 1974. (Both the state of siege powers and the prisoners detained under them are characterized with the widely known acronym PEN, "Poder Ejecutivo Nacional"). There is no time limit for holding PEN prisoners, but they have the nominal constitutional right to choose foreign exile in lieu of continued imprisonment. Since 1978 nearly 1,000 PEN prisoners have been allowed to exercise this option. Over 50 former PEN prisoners, plus more than 40 family members, have obtained refugee status in the United States; the last PEN prisoner to receive permission to travel to the United States arrived in November 1981.

From 1974 to 1981, over 8,700 persons suspected of terrorism or subversion were detained under PEN powers, according to the Ministry of Interior. Two persons who were fugitives since the military coup and emerged in late 1982 were detained under PEN powers but were later released. During 1982, approximately 425 PEN prisoners were released, mostly on parole. According to the Ministry of Interior, as of the end of 1982 there were 101 PEN prisoners held without trial or after being acquitted or having completed their sentences. Another 59 individuals were in trial status, and 83 were serving sentences imposed by the civilian courts. Another 345 individuals, described by the Ministry of Interior as subversives, were detained under ordinary civilian or military penal codes (i,e., not PEN powers), were convicted and were serving their sentences. In late December 1982, Interior Minister Reston said that no PEN prisoners would be held in PEN status by the end of 1983.

f. Denial of Fair Public Trial

Persons accused of subversion or terrorism may be tried in either civilian or military courts. The Argentine civilianpenal code provides for open trials and rights to defense. Despite such guarantees, defendants can be denied access to evidence against them, and most of the process may be conducted in written rather than oral form, a practice common in many Latin American legal systems. Military tribunals trying civilians accused of internal security violations conduct their proceedings in secret. Defendants have a military defense counsel, usually not a lawyer, and are normally denied access to evidence against them. There do not appear to have been any military trials of civilians in 1982.

The civilian judiciary displayed increasing independence in 1982. In February, the Supreme Court, in an unprecedented ruling, overturned a military court's conviction of a man charged with belonging to an illegal organization and ordered a retrial by a lower civil court. All rulings by lower courts, civilian and military, may be appealed to the Supreme Court, which in 1982 showed itself increasingly disposed to accept such appeals. In August, the Supreme Court took issue with a ruling of the armed forces' highest tribunal, the Council of War, claiming the military court was "not competent" to try and sentence an individual for subversive association. The person concerned was released, as ordered by the court.

The high court also became more active in responding to requests for writs of habeas corpus filed on behalf of individuals held on security grounds. Lower civilian courts likewise have stepped up their consideration of PEN-related habeas corpus petitions. A doctrine advanced in an August federal court decision -- that "citizens can no longer be deprived of their freedom for secret reasons" -- appeared increasingly to influence lower court rulings. In November 1982 the Supreme Court decided to investigate allegations that the court morgue illegally carried out autopsies and issued improper death certificates for prisoners reportedly killed in the late 1970s by security forces.

g. Invasion of the Home.

Warrants are required before police may enter private premises without the owner's permission. These are issued by a judge on the showing by police of probable cause. Like other rights, protection of the home has been suspended by the state of siege. However, there were no reports in 1982 of security forces invading homes.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Constitutional guarantees of these freedoms have been circumscribed since the imposition of a state of siege in 1974. The most recent trend, with some exceptions, has been toward liberalization, and it is expected to expand further as the process of civilian restoration unfolds. As domestic political competition has intensified and focused on elections, restraints on media and fuller expression of dissent have loosened. Published criticism of the military was a regular media staple before the July lifting of the ban on political activity, and it subsequently grew more pointed, with human rights developments and particularly the disappeared issue receiving prominent treatment. Political figures highly critical of the Government appear daily on the electronic media. Extensive television coverage of anti-government labor rallies in December illustrate the new liberalized atmosphere.

Reminders to the government-owned radio and television stations concerning subjects considered sensitive by the Government are issued periodically. In November the press leaked an apparently genuine government memorandum containing a list of issues that television stations and most radio stations werenot to mention. The issues included human rights groups, journalistic commentary on human rights, and related issues. Print and news media do not appear to have received direct warnings in 1982 and provide extensive coverage of these issues. From October to December, however, following several indirect unheeded warnings, the military junta closed four periodicals (the fourth was a successor to one of the first three) for "bringing disrepute upon the essential institution of the Republic." Three appealed the closures and won in court. The largest magazine was republishing by mid-December.

Some journalists reported anonymous threats, harassment, and surveillance because of their writings. During the December 16, 1982 anti-government demonstration, some journalists and photographers were beaten by police. Several foreign journalists covering the Falklands/Malvinas War were kidnapped in two separate incidents. They were robbed, held several hours, and stripped before being released. Many observers believe that this was the work of extremists associated with the state security organizations. Then-President Galtieri met with the journalists to offer personal apologies and assurances of protection. Journalists requesting them were provided police bodyguards.

Censorship of Argentine and foreign literary and other artistic works declined significantly in 1982. Foreign books and magazines in their original language are practically free of censorship, but Spanish translations are subjected to the same scrutiny as works by Argentines. However, Jacobo Timerman's highly-critical and controversial book about his detention and torture in Argentina, "Prisoner Without a Name, Cell Without a Number", was published in Argentina (under a different title) and is available in Spanish. Censorship of foreign films for political and moral content is routine, but censors showed increasing leniency in 1982. Films authorized for showing included "The House on Garibaldi Street", about the kidnapping of Adolph Eichmann from Buenos Aires, and "Norma Rae", which presented labor union activism attractively. Similarly, drama productions are again dealing with sensitive political issues. The "Open Theater" staged a series in Buenos Aires that included several highly political plays. A celebrated Argentine folk singer, formerly proscribed for Communist sympathies, was allowed to return from exile to pursue her career.

There are still restrictions on academic freedom in Argentina. At the university level, there is an officially promulgated list of activities, topics, and texts which are banned from classrooms. Controversy has also been sparked by the selection criteria imposed by the Government for the appointment of university professors. At the elementary and secondary levels, subjects and texts are rigorously prescribed by the authorities.

There are reports that both wiretapping and letter opening by the authorities have taken place in Argentina during 1982.

b. Freedom of Peaceful Assembly and Association

Until the lifting of the ban on political activity and promulgation of the political parties law in August, public meetings were restricted to enclosed, roofed premises, and then only with prior permission of the authorities. Since then, all groups and parties, except radical organizations outlawed for espousing violence, have been free to organize and assemble. Major rallies have been held by various political parties, including the Communist Party.

Despite military intervention in 1976, labor unions remain a powerful economic and political force. Approximately one-thirdof the work force is unionized, mostly urban, industrial laborers. The unions generally oppose the military Government, especially its economic and social policies. Since mid-year, the Government has responded to union demands and demonstrations with tolerance and sometimes with wage increases and other concessions. This contrasts with a March 30, 1982 crackdown on demonstrating labor groups that resulted in the brief arrest of hundreds and the fatal shooting of one demonstrator.

Most major trade unions remain subject to intervention and, therefore, ultimate control by appointed government representatives. However, in late 1982 the Government removed military overseers from a half dozen large unions and named trade union leaders to assume their control until union elections are held. Under the terms of the 1979 labor law, the Government has officially recognized approximately one-quarter of the nation's more than one thousand unions. They have proceeded to elect new leadership and to operate without direct interference.

Collective bargaining is officially suspended. Nevertheless, some firms choose to consult with labor leaders on pay, benefits, and other issues. The ban on strikes is not now effectively enforced, and they occurred with increasing frequency after mid-year. While the administration of General Galtieri challenged labor demonstrations, the Bignone Government has tolerated them, including mass, anti-government rallies in downtown Buenos Aires in October and December, and a highly effective, non-violent general strike on December 6, 1982. Violence did break out at the end of the December 16, 1982 demonstration, however, and one demonstrator was killed.

Many unions maintain close ties to international labor bodies and participate in international conferences, including the International Labor Organization (ILO). The ILO considers Argentina to be in violation of ILO Convention No. 87 (freedom of association) because of limitations on association contained in the 1979 law and legal restrictions on strikes, collective bargaining, and other trade union rights.

c. Freedom of Religion

By constitutional requirement, the President of Argentina must be a member of the Catholic Church, to which an estimated 95 percent of Argentines belong. Recent Governments have publicly and vigorously condemned religious prejudice and all other forms of discrimination.

Other religions must register with the Government to obtain the legal recognition required for their churches to operate freely in Argentina. Jehovah's Witnesses are the only religious group whose petition for recognition, filed in 1981, has not been granted. Even so, since late 1981, Argentina's approximately 42,000 Witnesses have been permitted to assemble without permits or police interference. Problems previously experienced with the authorities and in the public school have eased somewhat. At present about 300 Witnesses, all Argentine nationals, are under arrest for refusal to accept compulsory military service. The usual penalty is three to four years of service at various military installations around the country. Conditions are not onerous and furloughs are given for as much as a month at a time. A Supreme Court ruling in 1981 held that Witness children could not be held responsible for the training and beliefs received from their parents. Problems remain for older students, but are reported to be subsiding. A Jehovah's Witness Church in Comodoro Rivadavia (a coastal town about 1,000 miles southwest of Buenos Aires) was bombed in November 1982. There were no casualties.

Argentina's Jewish community of 300,000-450,000 practices its religion without official restraint. It represents an important part of the country's economic and cultural life, and the Government maintains good relations with the community. There is no evidence of an official policy of anti-Semitism. Occasional incidents of anti-Semitism, however, continue to occur. In late February 1982 a Jewish cemetery was desecrated with swastikas. The Government strongly condemned the vandalism, with President Galtieri's personal denunciation given wide distribution by all the news media. Jewish community leaders called the Government's repudiation of anti-Semitism "unprecedented" in its forcefulness.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Internal and foreign travel and emigration are basically unencumbered. Paroled PEN prisoners are usually restricted by judges to their municipality of usual residence for six to nine months; permission to travel must be received from the police to whom the parolees must report periodically. There are no other significant restrictions on parolees and there are few, if any, instances when parole is revoked and the person sent back to prison.

A small number of officials of the civilian regime ousted in 1976 are not permitted to leave the country. In May, 1982 the Government ended the problem of asylees in local embassies by granting "safe conduct" for passage to Mexico to the last asylee, resident in the Mexican Embassy since 1976.

Former PEN prisoners who were granted the option to leave the country generally are barred from returning. In a rare exception in February, a former PEN prisoner and expellee was permitted to return. Other PEN applicants for self-exile under the right of option are carefully screened, and most requests to emigrate have been denied. Only one PEN prisoner was allowed the option to go to the United States in 1982.

Argentina has a considerable refugee population, dating from as far back as the post-World War II period. It includes European refugees and thousands of Latin Americans who fled to Argentina over the years. Most of them enjoy legal status. The refugee population was slightly augmented in the late 1970's by the admission of several hundred families of Southeast Asia refugees. Three hundred foreigners were nationalized as Argentine citizens in 1982.

e. Freedom to Participate in the Political Process

Argentina has been ruled since 1976 by a junta made up of the commanders-in-chief of the army, navy, and air force who select a military officer (usually retired) to serve as president of the nation. The junta was disbanded for a period after the Falklands/Malvinas War but has been reconstituted.

The Bignone Government is publicly committed to holding elections in late 1983 and restoring constitutional civilian government by March 1984. A president, deputies and senators in the bicameral legislatures are to be elected, as well as provincial governors, mayors, legislators, and municipal councils. Specific dates have not yet been established for the 1983 elections but President Bignone has stated that the elections will be held not later than the first Sunday in

November. The political parties law issued in August 1982 is intended to facilitate democratic intra-party election and procedures. Some parties have criticized the role of court appointed temporary overseers in internal party affairs. National, provincial and municipal administration has been largely made civilian, with the appointment of politicians and technicians to many posts assumed by military officers after the 1976 coup. In 1982, national cabinet posts were in the hands of civilians, with the exception of the interior portfolio.

Women participate freely in politics in Argentina, one of only three Western Hemisphere nations to have had a female head of government, Maria Estella Martinez de Peron, 1974-1976. Outside of Buenos Aires and other major urban centers, women are confined to a role defined by Argentine tradition. In urban areas where educational and economic opportunities are superior and society more open to modern trends, women commonly participate in most professions. Married women living in Argentina must have the permission of their husbands to travel abroad with their minor children, if the husband is not accompanying them.

3. Government Attitudes Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Argentina cooperates with both the United Nations on Human Rights Commission and the Organization of American States' Inter-American Human Rights Commission (IAHRC). Although the latter did not formally address Argentina's situation in 1982, the UN Human Rights Commission considered Argentine cases under the confidential 1503 procedure. In addition, an IAHRC report issued in September reviewed Argentine developments since publication of the report covering its 1979 on-site inspection. The report highlighted Argentina's renewed cooperation with the IAHRC since June 1982 and emphasized the lifting of restraints on civilian political activity. While it criticized continuation of the state of siege, the commission noted the Government's infrequent resort to state of siege powers and stated that the IAHRC had received no reports of disappearances or PEN detentions in 1982. Equally positive, according to the report, was the judicial system's more assertive effort to safeguard individual rights. The commission was critical of the Government's failure to provide information on past disappearances.

The International Committee of the Red Cross (ICRC) maintained its presence in Argentina, visiting political prisoners. Like most other institutions in Argentina, however, ICRC's priorities were temporarily shifted by the war. The protection of the civilian population on the islands and, after Argentina's defeat, overseeing the transfer of Argentine prisoners back to the mainland, were primarily ICRC programs.

Private human rights organizations number eight (their Spanish names or acronyms are cited parenthetically): the Grandmothers of Plaza de Mayo (Abuelas); the Permanent Assembly of Human Rights (APDH); the Center for Legal and Social Studies (CELS); Families of the Disappeared/Detained for Political Reasons (Familiares); The Argentine League for the Rights of Man (LIGA); The Mothers of the Plaza de Mayo (Madres); the Ecumenical Movement for Human Rights (Movimiento Ecumenico); and the Peace and Justice Service for Latin America (Paz y Justicia).

The Permanent Assembly for Human Rigths was created before the 1976 military coup in response to the abuses that flowed from the climate of violence then prevailing. With a membership drawn from all sectors of Argentine society, it collects and disseminates information to sensitize public opinion to the human rights question. The Assembly compiled in 1979 the best-documented list of alleged disappearances, providing dataon about 6,000 cases. It also advises and assists families of victims of repression.

The group most widely known nationally and internationally is the Mothers of the Plaza de Mayo. The Mothers developed loosely at first as a group of people who in 1976 began gathering at Government House in the Plaza de Mayo to inquire into the fate of their family members who were detained and/or had disappeared. Their meetings have since been formalized in silent vigils every Thursday in the Plaza.

The Center for Legal and Social Studies, founded in 1978, is the newest of Argentina's human rights organizations. As both a data-collecting and legal assistance agency, it prepares court actions in cases of detentions and disappearances, promotes improvement in conditions for political prisoners, and maintains active contact with foreign human rights organizations. The Center, together with the Mothers, isbelieved to have the widest connection with foreign human rights institutions, such as the UN and OAS Human Rights Commissions.

Human rights organizations operated with increased effectiveness in 1982 despite minor incidents of harassment and surveillance. With the general trend toward political liberalization, a number of prominent organizations and individuals began to pursue themes formerly espoused almost exclusively by human rights groups. Political parties, labor unions, professional organizations, and the hierarchy of the Catholic church have adopted some of the objectives pioneered since the mid-1970's by the Mothers of the Plaza de Mayo, the Permanent Assembly for Human Rights, and similar organizations. In the meantime, human rights groups have stepped up their activities and expanded the scope of their efforts. The Mothers' weekly vigils in the Plaza de Mayo are being broadened into marches to other centers of Buenos Aires, giving them an expanded public profile. Human rights groups have also taken an increasingly active role at political conventions and meetings. Associated organizations are increasing their activities in the capital and the provinces, providing legal and social assistance services without official hindrance.

Some officers and members of the Mothers of the Plaza de Mayo had denigrating posters hung on their homes while the Permanent Assembly for Human Rights discovered hidden listening devices in its headquarters. Other human rights activists reported receiving anonymous threatening telephone calls.

Amnesty International's 1982 report, covering 1981, stated that that organization's main concerns in Argentina "continued to be the unresolved question of the 'disappeared' prisoners, and arbitrary detention without trial." The Freedom House report for 1982 classified Argentina as "not free," The Washington Office on Latin America's 1982 report also cited continuing human rights problems.

4. Economic, Social, and Cultural Situation

Nothwithstanding a current high rate of inflation, a year-and-a-half recession, and high rates of unemployment and under-employment combined (15 percent of a labor force of 11 million), Argentina's population of 27.7 million enjoys a high standard of living for a developing country. Per capita income is $2,395 (1980); the infant mortality rate, 40.8 per 1,000 live births, (1981); and population access to safe water, 66 percent (1975). There is no discrimination in the availability of food, shelter, health, or education on the basis of sex, religion, race, or ethnic background.

Although there was no unemployment insurance at the end of 1982, the subject was being discussed by the Government. Laws govern how employees may be dismissed. Severance pay is high and employers tend to retain workers using temporary layoffs where possible to avoid dismissals. Real wages dropped substantially during the first half of 1982 due partly to a freeze in public sector wages and to the lengthy recession. In August-September 1982, across-the-board wage increases tended to raise real wages. There are provisions for a minimum wage, family allowances, and other fringe benefits; these have also recently been increased.

In this largely middle class society, 80 percent of the population lives in urban areas. More than 65 percent of the population own their homes. There is ample protection for private property ownership. Although there may be some malnutrition due to the prolonged recession and unemployment, the average Argentine enjoys a healthy, high protein diet (126 percent of daily caloric requirements). The adult literacy rate is 94 percent, and primary and secondary schooling is free and widely available. In the province of Buenos Aires where approximately one-third of the nation's population resides, 93.6 percent of the 12-year old population was attending school at the time of the 1980 census, 1.7 percent had already graduated, only 4.2 percent had dropped out, and less than 1 percent had never attended. Nationwide, 92 percent of the children in the appropriate age group are enrolled in the first two grades, 85 percent in the third grade, 70 percent in the fourth and fifth grades, and 60 percent in the sixth and seventh grades.

The federal Government, the provinces, and the municipality of Buenos Aires combined allocate 15.3 percent of their budgets to education, 7 percent to public health, and 14.4 percent to social welfare, of which public housing is a large component. These figures as a percentage of GDP are 3.4 percent for education, 1.58 percent for public health, and 3.27 percent for social welfare.

Affordable private health care is widely available, in addition to trade union health care programs, managed at this time by the Government, which reach at least 20 percent of the population. Housing is still inadequate, but new public housing programs have been announced.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: ARGENTINA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.1
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.1
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.1
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.1
OTHER US LOANS..........	81.0	82.6	551.0
EX-IM BANK LOANS.......	81.0	82.6	551.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	485.9	779.4	129.2	4176.5
IBRD	237.0	368.0	0.0	1706.7
IFC	15.0	65.0	10.0	183.1
IDA	0.0	0.0	0.0	0.0
IDB	232.2	346.4	119.2	2233.4
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	1.7	0.0	0.0	49.7
OTHER-UN	0.0	0.0	0.0	3.6
EEC	0.0	0.0	0.0	0.0

BAHAMAS

The Bahamas is a stable, multi-party, parliamentary democracy. Its political and legal traditions are similar to those of Great Britain and the United States, and emphasize rights of the person. The governmental structure is patterned after that of Great Britain, with a prime minister, a cabinet, a parliament, an independent judiciary, and regular national elections.

The Bahamas is multi-racial and religiously diverse. There is universal adult suffrage and regular elections are held.

The economy is based on free enterprise but with state ownership of public utilities, hotels, the broadcasting facility, and Bahamas Air. There is a high degree of government direction of the economy. Although highly dependent (75 percent) on tourism and centered on Nassau and Freeport, the economy is fairly prosperous. Benefits in health, educa- tion, and social welfare programs are distributed on a nondiscriminatory basis.

The country has an excellent record on human rights observance. The Constitution protects fundamental rights and freedoms without discrimination by reason of race, origin, political opinions, color, creed, or sex. The judiciary is independent, and the Privy Council in the United Kingdom serves as the court of final appeal.

No major changes have occurred in human rights observance in the past year.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no killings for political motives. There are no known terrorist groups in the country.

b. Disappearance

There have been no cases of abduction, secret arrests, or clandestine detention.

c. Torture

Torture is prohibited by the Constitution and is not practiced.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Cruel, inhuman, or degrading treatment or punishment is prohibited by the Constitution. There continue to be occasional reports that the police use excessive force when making arrests. The judiciary has reprimanded police officers when allegations appear to have foundation in fact.

The downtown Nassau holding cells, where persons can be confined 48 hours or more while awaiting preliminary hearing, are small, crowded, and unsanitary. The similar women's institution appears to be less austere and more modern. Conditions at the Fox Hill prison are austere, although the prison has a rehabilitation program involving auto mechanics and arts and crafts.

e. Arbitrary Arrest and Imprisonment

The Constitution prohibits arbitrary arrest and imprisonment and requires that a person be charged without undue delay. This is observed in practice. There are no political prisoners. Habeus Corpus is carefully observed. Charges must be placed within 24 hours of an arrest.

f. Denial of Fair Public Trial

Trials are fair and public. The Constitution entitles defendants to counsel, and access to defendents is freely permitted. The judiciary is independent of executive or military control, and there is no political interference. There are no military courts.

g. Invasion of the Home

Sanctity of the home is safeguarded by custom, law, and tradition and is respected in practice. The Constitution permits searches to occur only with a warrant issued by a court.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

There is full freedom of speech and press. There are three daily newspapers, one radio stationwith three frequencies, and one television station. Some of the newspapers support political parties, including the radical left. The television station is government-owned and has been accused of biased political reporting. There is no political censorship or intimidation of journalists.

b. Freedom of Peaceful Assembly and Association

The Constitution protects the right to assemble freely and associate with others, and specifically mentions political parties and trade unions. Labor unions are independent of government and are free to organize, assemble, bargain, and strike. Approximately 25 percent of the labor force is unemployed including government workers. In March 1982, the communications workers struck for more pay and organized a widely-observed general strike, with no governmental interference. Many unions are affiliated with US counterparts and the International Labor Organization.

c. Freedom of Religion

There is no state religion. Freedom of conscience is protected and discrimination on the basis of creed is prohibited. Church groups are active in the society and several US church affiliated organizations operate in the Bahamas.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There is full freedom in all of these areas. A particular problem of continuing and serious concern for the government is that of Haitian refugees. There are an estimated 12,000 to 20,000 illegal Haitians now residing in the Bahamas (over five percent of the population). Although voluntary repatriation is acceptable to the Government of Haiti, it has suspended repatriation of individuals arrested by the Bahamian Government. This impasse has not been resolved to date.

The Bahamas continues to be tested by the arrival of illegal aliens, principally Haitians, but has for the most part maintained a reasonable, humane approach while insisting upon its sovereign right to repatriate illegals to their country of origin. In occasional instances, the Government has felt it necessary to employ non-lethal forcible methods in arresting Haitians for deportation. This has resulted in a breakdown in the Bahamas/Haiti repatriation agreement. Presently, only voluntary repatriation of individuals is acceptable to the Government of Haiti. The Haitian prisoners still in jail in the Bahamas are there because the Haitian Government has refused to repatriate them after arrangements had been made by the Catholic church.

e. Freedom to Participate in the Political Process

The Bahamas is a constitutional parliamentary democracy governed by a freely elected prime minister and parliament. The political process is open to all sectors of the society. Notwithstanding the transfer of political power from the white elite to a black majority (80 percent), Bahamian whites continue to play an active role in the political process, both elective and appointive. At the present time, despite their minority status, a few white Bahamians hold high-level civil service and political posts, and one is a member of parliament.

Legally and in practice women enjoy equal status. Women serve as permanent secretaries in ministries and hold one seat in parliament. Women are well represented in the professional and private sectors, even serving as president of the Chamber of Commerce in 1981/82. Many businesses on Bay Street are operated by women. Several of the magistrates are female and women serve as uniformed police officers.

The Bahamas has a dominant political party, the Progressive Liberal Party, which won independence for the country in 1973 without violence. Before independence the same party led the country for seven years of internal self-government. It has grown stronger over the years and now holds 32 of the 43 seats in parliament. The Free National Movement, a party to the right of the government party, holds the other eleven seats. A minor party, the Vanguard, on the left, has no seats. The Progressive Liberal Party has used its authority and power of office to strengthen its political position and, conversely, to weaken the opposition through selective political appointments. There have been accusations of "victimization" or the use of its dominant position to punish the opposition in terms of jobs and business contracts.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights.

Participation by the Bahamas in international organizations and activities, although limited by its representational resources, has increased in 1982. The Bahamas joined the Organization of American States and the Rio Treaty. There have been no requests to investigate human rights conditions in the Bahamas.

4. Economic, Social, and Cultural Situation

Although the Bahamas is made up of some 700 islands, only ten have populations of any size. Of these, New Providence (Nassau) and Grand Bahama Island contain over 75 percent of the Bahamian population of about 250,000 people. Most economic and cultural activities take place on these two islands. Partly due to this, the other islands, particularly those in the southern region, have suffered depopulation over the years as individuals have moved to the two major centers of activity. The Government is seeking through various programs to revitalize the "family islands" (those other than New Providence and Grand Bahama) in an attempt to discourage this urban drift. Programs emanating from the Ministry of Agriculture seek to encourage agriculture and fishing opportunities; the Ministry of Tourism is attempting to locate new tourist facilities in the "family islands" rather than on New Providence and Grand Bahama; and the Ministries of Health and Education are both seeking to strengthen their programs in these areas. The Government is also working out a system of local government rather than the present commissioner system which is directed from Nassau. Thus far, the Government has been unsuccessful and the exodus to Freeport and Nassau continues.

The Bahamas has a good record of nondiscrimination on sexual, racial, or religious grounds. Women participate prominently in all levels of business and government. There is no state religion, and there are no advantages to belonging to any particular religion.

According to the Bahamian statistics, the Bahamas has seen marked improvement in health conditions during the decade of the 1970's. Life expectancy at birth rose from 65.7 at the beginning of the decade to 69.0 by 1979. During the same period, the infant mortality rate dropped from 40 per 1,000 live births to 32. The stillbirth rate dropped from 21.5 in 1970 to 12.7 in 1980. The annual population growth rate is approximately 3.6 percent. World Bank and AID statistics indicate that access to safe water remained at 65 percent during the 1970's, with 100 percent in urban areas but only 13 percent for rural areas in 1979. The water system in Nassau is old and delapidated and if not renewed soon, the number of people having access to safe water could drop. Many families drink only bottled water, but that is too expensive for most Bahamians. Due to the small, scattered communities in the "family islands," the difficulties of providing safe water are significant.

The World Bank statistics show that the percent of calorie supply available for consumption relative to nutritional requirements was 101 percent in 1970. This was reduced to 96 percent by 1979. In recognition of this deterioration, the Ministry of Education launched a multi-million dollar school lunch program. This will ensure that children receive at least one hot meal each day.

In addition to 860 hospital beds and Ministry of Health doctors who make regular trips to the "family islands," Bahamians have easy access to commercial medical treatment in the United States. Many Bahamians take full advantage of this in an emergency and when serious surgery is called for. The Government's expenditure on health rose from $1.3 million in 1970 to an estimated $4.9 million in 1981.

Restructuring of education is continuing. The Government is placing new emphasis on technical and vocational training, since some skilled jobs in the economy are performed by foreigners due to the lack of sufficient numbers of Bahamians. While literacy rates have remained constant at 93 percent over the past decade, shortages of teachers, equipment, and supplies, as well as deterioration of many schools have resulted in a weakening of quality education in the public school system. The Government has reemphasized education. There are a total of 225 schools in the Bahamas of which 62 are primary.

Per capita GNP was estimated by the World Bank at $2,030 in 1970 and $2,750 in 1979. The World Fact Book estimated per capita GNP at $4,650. Since no national accounts are kept, these figures are only rough estimates. Inflation in 1981 was an estimated 13 percent. Coupled with inflationary pressures has been a large increase in the labor force. Estimates now put unemployment at approximately 50 percent for the Bahamians between 16 and 24 years of age. The social results of the unemployment are serious. Some of the unemployed have apparently turned to crime and to drug smuggling.

The Government is trying to reduce unemployment. The most important effort is to attempt to create new jobs in tourism, through both private and public investment.

In cultural terms, the Bahamas is a vibrant society. There are a number of excellent Bahamian musicians, writers, and artists. They are heavily influenced by black American and African values in addition to the accumulated experiences of their own history.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: BAHAMAS

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
OTHER US LOANS..........	7.3	0.0	0.0
EX-IM BANK LOANS.......	7.3	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.3	7.0	0.0	29.7
IBRD	0.0	7.0	0.0	22.8
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	3.2
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.3	0.0	0.0	3.7
OTHER-UN	0.0	0.0	0.0	0.0
EEC	0.0	0.0	0.0	0.0

BARBADOS

Barbados is a constitutional democracy. Its House of Assembly is the third oldest in the Western Hemisphere, after Bermuda and Virginia. A basic statement of the rights and privileges of Barbadians, known as the Charter of Barbados, was proclaimed in 1652 and has been upheld by those governing the island. Barbados achieved full independence on November 30, 1966. It enjoys a free and democratic system of government. Its two political parties are based more on history and personalities than on ideological differences. Both parties tend toward moderate socialism and have taken control of power in turn during three decades of self-rule. The Prime Minister is the head of government. The Governor General, a Barbadian named by the British monarch, wields very little political power.

Current annual per capita income in Barbados is approximately US$3,400 which puts the country in the forefront of developing Eastern Caribbean countries. The mainstays of the economy are light manufacturing, tourism, services, and sugar. Trends in 1982 indicate that the country has closely adhered to the rights granted and protected by the nation's Constitution. The human rights situation in Barbados is excellent. The current situation is likely to continue into the foreseeable future.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

No cases of killing for political motives have been reported in years.

b. Disappearance

There have been no reports in 1982 of disappearances.

c. Torture

Torture is specifically prohibited by the Constitution, and there have been no reports that it is practiced.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

There have been no reports of cruel, inhuman, or degrading treatment or punishment. Prison conditions are humane. There have been no reports that prisoners are physically mistreated. Attorneys have ready access to their clients. Amnesty International has protested the execution of some convicted murderers by hanging.

e. Arbitrary Arrest and Imprisonment

The Constitution prohibits arbitrary arrest and imprisonment. This prohibition is respected in practice. The right of habeas corpus is guaranteed and observed. An individual must be taken before a court of law within 72 hours after arrest.

f. Denial of Fair Public Trial

The Constitution provides that persons charged with a criminal offense be given a fair, public hearing within a reasonable time by an independent and impartial court. Defendants are presumed innocent until proven guilty. These guarantees are respected in practice. The judiciary acts independently and is free from intervention from other branches of government.

g. Invasion of the Home

The Constitution prohibits arbitrary search or entry. This prohibition is respected in practice. Warrants are required for entry and search of privately-owned property.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Constitution guarantees freedom of speech and press. These freedoms are respected in Barbados. The two regular newspapers and one radio station function independently of the Government. The Government owns and operates the Caribbean Broadcasting Corporation Radio and Television Service, which is modeled after the British Broadcasting Corporation. However, charges of Government intervention in the media have been rare.

b. Freedom of Peaceful Assembly and Association

The constitutional guarantees for peaceful assembly and private organizations are observed. Labor is free, strong, and well organized in Barbados. Protests or strikes have occurred when collective bargaining has failed. Although one major union has some ties to the opposition party, in general labor leaders and the rank-and-file are motivated primarily by economic and social, not political, considerations.

c. Freedom of Religion

There is full freedom of religion. While the Anglican and Methodist faiths dominate, even the smallest religious groups have houses of worship.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There are no impediments to free movement of citizens or legal residents within or without Barbados. The Constitution guarantees the right to move freely throughout the country, to reside anywhere in Barbados, to enter and leave Barbados, and to be exempt from expulsion. Barbados has had a limited number of refugees and requests for asylum. These are handled on a case-by-case basis. Barbados has been generous in its treatment of those whose applications are denied. In at least one known case, it granted a refugee a one-year temporary visa after his application for asylum was denied, in order to allow him to make alternate arrangements.

e. Freedom to Participate in the Political Process

Barbados is a parliamentary democracy following the British model. There are no impediments to participation in the political process. The ruling political party, the Barbados Labor Party is termed "moderate" with a socialist orientation similar to that of the British Labor Party. The other major party in Barbados, the Democratic Labor Party, does not differ from the ruling party in basic objectives. Consequently, electoral contests and political disputes are essentially partisan encounters with a focus on personalities as much as issues. There is no discrimination based on race or sex. Barbados is a signatory to the Convention on the Elimination of All Forms of Discrimination Against Women adopted by the United

Nations in December 1979. Women actively participate in all aspects of national life. One cabinet member is a woman, and women are well-represented at all levels in both the public and private sectors.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

There have been no reports of human rights violations in Barbados or requests by human rights groups either within or outside the country to investigate allegations. Barbados officially advocates strengthening the human rights machinery of the United Nations and the Organization of American States. The Government is in favor of more investigations of alleged violations of human rights in other countries and increased use of fact-finding or observer teams to monitor controversial political and electoral situations. There are several small groups fostering international human rights consciousness.

4. Economic, Social, and Cultural Situation

Barbados has a population of 286,000 with a low (0.9 percent) growth rate due to continued emigration and a declining birth rate. A tradition of political stability and prudent economic management has helped to place Barbados high on the World Bank list of developing countries in terms of per capita income. Barbados had a 1981 gross national product per capita income of about $3,400. However, after several years of solid economic growth, Barbados has been in a period of economic downturn caused by a combination of sugar crop shortfalls in two successive years, continued increase in world petroleum prices (75 percent of the oil used is imported), and a 10 percent decrease in tourist sector activity. The Government has carefully monitored the economic barometer, has raised taxes and reduced public sector spending, and has sought an IMF standby credit to compensate for reduced foreign exchange receipts from the tourism and sugar industries.

The 1966 proclamation of the Constitution called for the Government to promote the general welfare of the citizens of Barbados through equitable distribution of wealth. Both past and present Governments have pursued that goal by attempting to wipe out pockets of poverty while respecting private property. The ruling Barbados Labor Party in June 1981 committed itself to several public welfare goals, including improvements in public housing and community centers and an overhaul of the somewhat regressive tax system.

Citizens have long enjoyed access to public and private educational systems, the object of considerable national pride, and the adult literacy rate is estimated at 99 percent. The government has embarked on a program of expanding the secondary school system to ensure that sufficient facilities exist for students leaving the primary system.

Adequate medical care is available to all residents through local clinics and hospitals under the Government's health program. There is one doctor for every 1,500 people. Average life expectancy for Barbadians is 70.8 years. Infant mortality is 25.1 per 1,000 births. Government health insurance programs cover all Barbadians. The Government is attempting to meet shelter needs through its low-cost housing program. Overall, Barbadians are well housed. Land ownership, however, is highly concentrated, with 10 percent of the population owning over 95 percent of the total. The Government has devoted over 60 percent of its operating budget and almost 30 percent of its capital budget to the fulfillment of vital needs. It also contributes to the direct provision of essential goods and services through its involvement in statutory boards and corporations, such as the Barbados Marketing Corporation, intended to guarantee distribution of agricultural products at reasonable prices; the Public Assistance Board, which provides for the indigent; and the Child Care Board. One hundred percent of the population has access to safe water.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: BARBADOS

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.2	0.4	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.2	0.4	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.1	0.1	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.1	0.1	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.1	0.1	0.0
E.RELIEF.EC.DEV & WFP.	0.1	0.1	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.1	0.3	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.1	0.3	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.1	0.3	0.0
II.MIL. ASSIST.-TOTAL...	0.1	0.1	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.1	0.1	0.1
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.1	0.1	0.1
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.3	0.5	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.3	0.5	0.1
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	26.9	16.0	2.7	104.7
IBRD	10.0	6.0	2.7	35.7
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	14.3	4.4	0.0	56.3
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.1	0.6	0.0	5.0
OTHER-UN	0.0	0.0	0.0	0.2
EEC	2.5	5.0	0.0	7.5

BELIZE

Belize is a functioning democracy which celebrated the first anniversary of its independence from Great Britain on September 21, 1982. The Constitution provides for a Westminster-model parliamentary democracy and in fact that is the system that exists. It makes specific provision for the protection of fundamental rights and freedoms of the individual regardless of race, creed, sex, or ownership of property. In this regard, it further codifies the system of English common law and former colonial laws of Belize, which remain largely in effect.

The developing economy of Belize is based primarily on agriculture, tourism, and manufacturing. After a strong growth performance in the 1970s, the economy turned sharply downward in 1981 and 1982, due in part to poor agricultural performance, stagnation in manufacturing, and the international recession.

Belize's first year of independence has not been marked by civil disturbances or infractions of the human rights guarantees written into its Constitution. The constitutional commitments for the protection of fundamental rights and freedoms of the individual have been scrupulously observed.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no killings for political motives in Belize during the last year.

b. Disappearance

There have been no reports of disappearances during the last year in Belize. People are not abducted, secretly arrested, or held in clandestine detention.

c. Torture

Torture is specifically prohibited in the Constitution and is not practiced.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Such treatment and punishment are prohibited by the Constitution. Infrequent charges have been made of police brutality during the initial arrest and interrogation process, particularly involving illegal aliens and people suspected of committing serious crimes. Sentences -- either fine or imprisonment -- for criminal offenses are lenient. Although the prisons are old and overcrowded, efforts are made to lodge adults and juveniles separately. There is no discrimination on the basis of social class, race, or religion. There is no physical punishment, and discipline is administered by trained officers. A basic but adequate diet is provided.

e. Arbitrary Arrest and Imprisonment

The Constitution prohibits arbitrary arrest and imprisonment and guarantees the right of habeas corpus. A person is entitled to be informed within 48 hours of the reasons for his arrest or detention and to be brought to a court within 72 hours. Release on bail is allowed for all but the most serious, violent criminal offenses. By and large, these statutes are strictly observed.

f. Denial of Fair Public Trial

Defendants are presumed innocent until proven guilty. A criminal defendant is not compelled to give evidence in his or her own trial. Access to legal counsel is permitted, and a legal aid society provides legal counsel to indigent defendants. Court-appointed interpreters are provided when necessary at no charge. Public trials are required unless agreed to otherwise by all parties, and this process is respected. The judiciary is independent of both the executive and the military. Military courts have jurisdiction only over service-related offenses of personnel of the Belize Defense Force.

g. Invasion of the Home

Arbitrary search and entry are prohibited by the Constitution. Search warrants are required and used. There have been no reports of violations.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Constitution specifically guarantees these freedoms, and they are respected in practice. The Government has issued licenses to receive TV signals from satellites. Several license holders have started transmitting these signals to the public; the Government has not yet placed any restrictions on this activity. There is only one radio station in Belize, which is government-controlled. There has been a dialogue between the Government and the opposition United Democratic Party which has led to the Government's commitment to broadcast political debates and cover opposition events. The radio does provide coverage of debates in the assembly and of press conferences called by the leader of the opposition. However, the opposition has only limited access to radio coverage. There are several weekly newspapers, divided between Government and opposition viewpoints. There is no censorship, and criticism of the Government is tolerated.

b. Freedom of Peaceful Assembly and Association

The Constitution guarantees freedom of assembly. A permit is required to hold a public meeting, but no problems have been reported in obtaining these permits. Rights of assembly may be curtailed during times of national emergency declared by the Governor General or the National Assembly in order to preserve public order. Brief states of emergency have been declared only twice in Belizean history -- in the aftermath of Hurricane Hattie in 1961 and due to civil disturbances in March-April 1981.

Labor unions are free to organize, negotiate, and strike, and to play an important role in the society and economy. Approximately 12 percent of the labor force is unionized. There are several labor unions, divided politically between the Government and the opposition. Belize is a member of the International Labor Organization and a member of the Caribbean Confederation.

c. Freedom of Religion

There is no state religion in Belize, and a variety of Christian and non-Christian denominations operate freely.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There are no restrictions on movement within Belize or on foreign travel or emigration. Emigration is motivated by economic reasons and not by political or human rights concerns. Forced repatriation is unknown. Voluntary repatriation by Belizean nationals is unrestricted. Belize has been a traditional haven for refugees from neighboring countries as evidenced by the admission of more than 2,000 Salvadoran refugees in the last three years. A proposal to settle some 2,000 Haitian migrants is currently under consideration. Implementation could be as early as 1983.

e. Freedom to Participate in the Political Process

All citizens age 18 and over are eligible to register and vote, and no group is denied the right to participate in political activity. Approximately 90 percent of the electorate voted in the last general election. Belize has been ruled by the People's United Party since independence, and indeed for many years during the period of internal self-rule prior to independence. Two opposition parties, the United Democratic Party and the small Toledo Progressive Party, contest elections. The last election held was in December 1981 for municipal councils in the seven out-districts (excluding Belize City); the People's United Party won control of four of these municipal councils, and the United Democratic Party the remaining three councils.

Although women are not proportionally represented in the government, the Governor General is a distinguished woman educator. Women hold one deputy cabinet-level position and two seats in the 26-member legislature.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights:

The Government has indicated its intention to accede to all applicable human rights and refugee conventions. No international entities have asked to investigate the human rights situation in Belize. A Human Rights Council exists in Belize, but has made no public charges of human rights violations. A branch of Amnesty International was recently formed in Belize, but to date has dealt with violations in other countries.

4. Economic, Social, and Cultural Situation

The Government has stated its commitment to an active role in ensuring and promoting the economic and social wellbeing of its people. Great emphasis is placed in the Government's program and budget on the educational and health systems. Education is universal and compulsory to age 16 and may be received in either state or church schools. The literacy rate in 1980 was 86.6 percent and is now claimed to be over 90 percent. These figures do not vary significantly in rural and urban areas, nor on the basis of sex, race, or socio-economic circumstances.

Health care is provided by the Government and also by private physicians. Although nominal in cost, government medical facilities outside Belize City are widely dispersed and are sometimes unable to provide for more than routine care. An estimated 80 percent of the population had access to safe water in 1970. Government health teams spray throughout the country to control malaria, dengue, and yellow fever vectors, once primary causes of death in Belize. Health and nutritional awareness are also strongly emphasized in campaigns to encourage breast feeding, to select and prepare appropriate meals from local produce, and to create a rural cadre of primary health care practitioners. Life expectancy at birth is 60 years (1980); the infant mortality rate is 51.2 per 1,000 live births (1970). The ration of calorie supply available for consumption relative to nutritional requirements is 1.25 (125 percent) as of 1977. These figures are again consistent for both rural and urban areas on nondiscriminatory basis.

The 1980 GNP per capita was $1,000. The variance between rich and poor is not considerable, and few are below the absolute poverty level. Wage increases in both the private and public sectors have approximated the pace of inflation -- 15 to 18 percent in recent years -- but have not adequately compensated for the even greater increases in the costs of imported goods. Price controls are maintained on basic foodstuffs. Economic growth has been about two percent annually since 1977, insufficient to provide enough job opportunities for the growing population. Although data for the total fertility rate is unavailable, the gross population growth rate has been about four percent annually in recent years. The net population growth rate is reduced to one percent by emigration in search of greater economic opportunities. Overall unemployment is eight percent or more, and unemployment and underemployment are considerably higher in Belize City, which contains one-third of the country's 145,000 people.

A new social security system for employees was introduced in June 1981. Economic opportunities exist primarily in the agricultural sector, given Belize's limited industrial base and manufacturing sector. Consequently, opportunities for skilled professionals, such as technicians, engineers, and accountants, are limited. The Government's development plan, 1980-1983, calls for large-scale investment to develop and expand the agricultural sector. Private ownership of the largely undeveloped interior for small farming operations is also encouraged.

To upgrade the status of women, the Government of Belize established a women's bureau within the Ministry of Labor in April 1981. At present the bureau is partially financed by the United Nations, but next year it is to be fully funded by the Government.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: BELIZE

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.8	0.9	0.9
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.8	0.9	0.9
A.AID	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.8	0.9	0.9
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.8	0.9	0.9
PEACE CORPS......	0.8	0.7	0.6
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.2	0.3
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.8	0.9	0.9
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.8	0.9	0.9
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.4	0.0	0.0	3.4
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.3	0.0	0.0	2.5
OTHER-UN	0.1	0.0	0.0	0.9
EEC	0.0	0.0	0.0	0.0

BOLIVIA

The inauguration of President Hernan Siles Zuazo On October 10, 1982 marked Bolivia's return to civilian democratic government following 18 years of nearly continuous rule by the armed forces. Two military presidents, Gen. Celso Torrelio Villa and Gen. Guido Vildoso Calderon, also held office during 1982, ruling in the name of the Bolivian military.

Prior to the change, a loose coalition of political parties and the main labor confederation, the Bolivian Workers' Central, created a political stalemate and blocked effective economic action by the military Governments. The armed forces then decided to return to civilian rule by convoking the never-installed congress elected in 1980. That congress subsequently chose Siles as president in accordance with the Bolivian Constitution and the unwritten rule that the winner of a plurality in the elections should be selected.

Bolivia's economic system is basically state capitalist, with about 80 percent of the GDP produced by state enterprises. The country, already the poorest in South America, has been debilitated by several years of economic mismanagement.

During 1982 successive Bolivian Governments took several positiv. steps in the human rights field. The security police were brought under tighter control. On May 26 the Government declared a political amnesty which allowed political exiles to return to the country and lifted the "recess" on political and labor union activities imposed after the 1980 coup by Gen. Luis Garcia Meza Tejada. On May 20 the Government restored full autonomy to state universities. On May 8 it lifted the national curfew decreed by Garcia Meza. The Government allowed many radio stations, notably the Catholic Church's radio "Fides," closed in 1980, to begin broadcasting again. It also rehabilitated many stations operated by the miners before returning them to the airwaves. On October 10 the military government of Gen. Vildoso turned power over to Hernan Siles Zuazo. The new Government has stated that it will respect human rights and has abolished the security police.

During the Torrelio and Vildoso presidencies, far fewer arbitrary arrests took place than under the Garcia Meza regime. The incidence of torture declined. With the restoration of democratic government in October, Bolivians recovered full political rights. However, groups of "paramilitaries" operated in Bolivia during 1982, and some probably had links with the former military governments. The most important of these groups are essentially private armies financed by proceeds of the cocaine trade and under the control of private individuals. The "paramilitaries" include some foreigners and many of the same people who, as agents of the security police, committed human rights violations in 1981. On the day of Siles' inauguration the new Government signalled that they could no longer act with impunity by capturing and returning to Italy a leading "paramilitary"/terrorist, Pierluigi Pagliai. Pagliai was wounded at the time and subsequently died in Italy.

1. Respect for the Integrity of the Person, including Freedom from:

a. Killing

The Bolivian Government did not use assassination as a tool of policy during 1982. Nevertheless, some deaths occurred during confrontations between civilians and government authorities. In Cochabamba six people died on March 26 when the government tried to break up a workers' demonstration against the floating of the Bolivian peso. On September 17 four people, including one policeman, died in Sucre during another demonstration by workers and university students in support of a department-wide strike.

Terrorists of unknown sponsorship were allegedly responsible for the death on May 28 of a student, Cesar Frade. The Interfaculty Committee of the Greater University of San Andres in La Paz alleged that Frade had received "constant threats from paramilitary elements."

Bombing was used as a form of intimidation by "paramilitary" groups. Numerous bombings in La Paz did not result in personal injury or death.

There have been unconfirmed reports of human rights violations, including killings of farmers, during operations by the police against cocaine laboratories and in search of illicit coca production, and in some cases farmers retaliated by killing policemen.

b. Disappearance

Although the military Governments did not publicly announce detentions for political reasons, detainees (perhaps totaling over one hundred) usually were released after a short time. On December 9, 1982 the Siles Government created a commission to investigate the fates of those people who had disappeared during the eighteen years of military rule. The commission received reports that two people had disappeared during 1982, but it was not immediately clear that the military Government then in power had actually detained them and made them disappear. According to the Washington Office on Latin America, individuals who disappeared under the Garcia Meza regime are still unaccounted for.

c. Torture

The incidence of torture declined under the military Governments during 1982 and virtually ended after the May amnesty. The most notable among the several cases of torture included those of Luis Lopez Altamirano, the Secretary General of the General Confederation of Factory Workers of Bolivia, who was arrested on February 5; Filemon Escobar, then an officer of the Bolivian Workers' Central and the Union Federation of Mineworkers of Bolivia, arrested on February 4; Jose Maria Palacios, an officer of the Bolivian Workers' Central and leader of the Socialist Party One, arrested on April 10; and possibly Lucio Lopez Lopez, the leader of the factory workers' union of Cochabamba, arrested on March 26. Allegedly, the most common means of torture involved electricity, including passing electrical current through electrodes attached to various parts of the body or through a wet metal floor on which the victim stood, and suspension in a tub of water through which electricity was passed. Some prisoners were severely beaten, and there were reports of the insertion of a rod or pipe into the victim's rectum.

The torturers employed by the security police included Bolivians and foreigners. Some of these reportedly moved from the security police into the "paramilitary" groups. Most of the torture with electricity took place in La Paz at the Department of Political Order and the security police headquarters. The army's intelligence section also reportedly had equipment for torture at its headquarters in the Miraflores barracks in La Paz.

Most instances of torture were reported to occur soon after arrest - in the case of the security police often immediately after the prisoner's arrival there. Beatings of prisoners occurred in jails outside La Paz, but torture with electricity was not reported. Former President Torrelio and his Interior

Minister, Colonel Romulo Mercado Romero, publicly denied any knowledge of torture, but they took action against accused torturers. The commander of the security police, Lt. Col. Freddy Quiroga Reque, was reassigned in March. The Interior Ministry also reportedly dismissed three non-commissioned officers who had allegedly tortured Lopez Altamirano. Thereafter, allegations of torture declined during the year. The Vildoso Government appears not to have permitted the extreme forms of torture, although in the departments of Cochabamba, Chuquisaca, and Santa Cruz some severe beatings occurred.

On July 8, 1982 "paramilitaries" of unknown sponsorship kidnapped a leader of the unofficial Single Union Confederation of Campesino Workers of Bolivia, Zenon Barrientos Mamani, and beat him so severely that he required hospitalization. The alleged leader of the "paramilitary band," Roger Mareno Roca, was identified by the national police, but never apprehended.

On August 25, 1982, following an intensification of the struggle between two rival farmers' unions, the Single Union Confederation and the official National Confederation of Campesino Workers of Bolivia, for recognition as the sole spokesman of the nation's farmers, the leaders of the former's La Paz departmental affiliate, Estanislao Poma and Luciano Chiara, were allegedly kidnapped by a group of "paramilitaries." The two stated that they were beaten during the abduction, held for several hours and then released.

The Siles Government has stated that it will not employ torture, has abolished the security police, and has physically dismantled the apparatus used for torture. No cases of torture are known to have occured following the amnesty of May 26, 1982.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

With the exception of Luis Lopez Altamirano, whose case was passed to the civil judicial system for trial, political prisoners were generally kept apart from common criminals. The Department of Political Order, where political detainees were kept, contains two cold, damp cells. Mattresses and blankets are in short supply. The Catholic church delivered food and personal messages to prisoners when permitted to do so.

Most prisons for common criminals are old and overcrowded. Corruption is rampant, with prisoners paying guards for outings, better cells, food, contraband liquor, and drugs. Rehabilitation programs are non-existent. Very few upper class Bolivians of European extraction are arrested or jailed before or after trial. Men and women are kept in separate jails. Common criminals are not segregated by type of offense. The main reason for poor physical conditions in common jails is the country's lack of adequate resources.

e. Arbitrary Arrest and Imprisonment

Under the military Governments in 1982, the number of people detained at any time for political or arbitrary reasons averaged at least ten until May and then decreased. Other persons were detained during the period May-September, but these detentions were of very short duration. Human rights sources reported no one under political detention in early October. During periods of political unrest in the country, arrests rose considerably. For instance, a number of students and workers were detained in an effort to minimize public discontent following the economic austerity measures implemented on February 4, 1982. Many of these people were exiled abroad and the rest were released during February. Following the enactment of the Government's second set of economic measures at the end of March, another group was arrested, but public pressure brought about their release in the first days of April. Many university students were detained in Cochabamba and La Paz during the general strike and demonstrations which led to the Government's granting of full university autonomy on May 20. Finally, some arrests occurred during the public demonstrations against the adoption by the Vildoso Government of a proposed third round of economic measures.

The right to habeas corpus, although guaranteed by the Bolivian Constitution, was not respected in cases of political detentions. During 1982 habeas corpus petitions were seldom filed against the Interior Ministry on behalf of political detainees. Under the Constitution individuals may not be held without charge for more than twenty-four hours, but this provision was not respected in political cases.

f. Denial of Fair Public Trial

There have been no political trials in Bolivia in recent years. In criminal cases the defendant is presumed innocent until proven guilty, is permitted to have counsel, and may consult with counsel in private. Those arrested have a right to be charged within twenty-four hours. The Constitution requires that an accused be tried before a regularly constituted, competent civil tribunal. No special civilian or military courts were created for political offenses. Verdicts may be appealed from the ordinary courts to district courts and the Supreme Court.

The criminal justice system - based on civil or Roman law - moves slowly. Some cases take years to complete because of antiquated procedures and shortage of qualified court personnel. In January a group of lawyers from La Paz issued a complaint about the legal delays inherent in the Bolivian criminal justice system.

The Bolivian judiciary has often been influenced by political pressures and corruption. The Supreme Court judges were all replaced by the new civilian Government.

g. Invasion of the Home

The privacy of the home is constitutionally protected. However, forcible entry of residences took place under the military Governments in 1982, although less frequently than in 1981. For instance, on January 1, 1982, agents of the security police, claiming that a political meeting was underway, raided an alleged New Year's Eve party in La Paz and arrested 34 people including two dual American/Bolivian citizens. All were later released.

Security organs of the Bolivian government were believed to have a limited capacity for electronic eavesdropping.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Formal press censorship does not exist in Bolivia. However, editors and reporters often have avoided antagonizing recent military regimes because they feared reprisals. During 1982 press criticism of the Government increased. Some publications, such as the satirical "Cascabel," which stopped publishing after the Garcia Meza coup, have now returned to the newsstands with regular issues. Before lifting of the "recess" on labor and political activities, the Bolivian Workers' Central and the political parties often published advertisements in the press to present their points of view. Since May 26 political and labor activities have been fully reported without regard to the Government's views.

Attempts to intimidate editors and reporters by means of death threats, break-ins, and bombings occurred in 1982. Although the incidence of death threats decreased in comparison with the previous year, break-ins and bombings increased during the Torrelio and Vildoso Governments.

On September 17, 1982, the military declared the city of Sucre a "military zone," ordered press censorship, and occupied the city's radio stations. The measures were lifted the next day.

During 1982 the Government helped rebuild and reopen some of the tin miners' radio stations which had been shut down by the Garcia Meza Government. Factory workers and railroad workers also initiated talks with the Government for the reopening of their stations. The Catholic church's radio "Fides," which was badly damaged after the 1980 coup, returned to the air on February 25, 1982 after negotiations with the Government.

The military Governments are believed to have intercepted some international mail during 1982.

Informal restrictions on freedom of speech eased during the early part of 1982 and disappeared following the amnesty of May 26, 1982.

b. Freedom of Peaceful Assembly and Association

Most restrictions on peaceful assembly and association were ended during the year by the military Governments. The Bolivian national curfew, which prohibited private gatherings, was lifted in May.

In Cochabamba on March 26, 1982 and in Sucre on September 17, clashes between demonstrators and authorities led to deaths. The Government of Bolivia had refused to grant permission for the meetings beforehand. The security police's forcible dispersal of a group of hunger strikers from the offices of the Bolivian Episcopal Conference on February 16 brought a strong protest from the Catholic church and resulted in disciplinary action against four security police agents whom the Government said had exceeded their authority.

Bolivia's labor confederation, the Bolivian Workers' Central, began 1982 as a proscribed underground organization and ended it as a powerful civilian force. It was an important factor in bringing an end to the military Government in October. Virtually all Bolivian workers in the significant industrial and service sectors are organized.

An agreement signed on December 19, 1981 between the Government and Bolivia's miners provided for the gradual abolition of the national "recess" on labor union activities imposed in 1980. On May 26, 1982 the Government accelerated the process, lifting all the controls and restoring full labor union rights. The Bolivian Worker's Central is a powerful and autonomous labor body which often opposes government policies, and unions now freely exercise the rights to negotiate and strike.

Some union leaders, most notably those of the Single Union Confederation of Campesino Workers of Bolivia, alleged in 1982 that they were harassed by the military Governments. The Single Confederation's rival, the National Confederation of Campesino Workers of Bolivia, enjoyed government recognition as the farm laborers' agent with the armed forces governments under the terms of the military-peasant pact of the late 1960's. The National Confederation's headquarters were in the Ministry of Peasant, Agricultural, and Livestock Affairs, and its leadership was allied with military governments.

Bolivia has many professional organizations, and neighborhoods are organized into neighborhood councils. Most, if not all, of Bolivia's regional departments have powerful civic committees. Since May 26, 1982, when controls imposed in 1980 were formally lifted, no known legal restrictions on the right to organize by such groups have existed.

c. Freedom of Religion

Freedom of religion is respected in Bolivia. Neither the military regimes nor the civilian Government persecuted individuals for their religious beliefs during 1982, nor were any religious figures detained.

The Catholic church in Bolivia, acting through the Archbishop of Sucre and the Papal Nuncio, has protected religion in general and has encouraged the Government to end human rights violations. Protestant churches operate openly and freely. In 1982 a Protestant college opened its doors in Santa Cruz. The small Bolivian Jewish community was not harassed by the Government during the year, although the military regimes tolerated neo-Nazi "paramilitary" groups which published anti-semitic tracts. For instance, an anti-semitic newsletter put out by a group calling itself the "Sovereignty Paramilitary Command" threatened members of the U.S. Embassy and the Bolivian media.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Movement by Bolivians within the country is not controlled. Foreign travel requires an easily obtainable exit visa stating that the traveller is not wanted by the police and has paid all taxes. The Bolivian Government neither encourages nor discourages emigration.

Before the amnesty of May 26, 1982, the Torrelio Government sent some political opponents into exile. About one hundred people were exiled in 1982, most in the wake of arrests following protests of the adoption of economic measures in February and March.

Since May 26 all political exiles have been allowed to return, and most have done so. The Government did not obstruct their repatriation, and most did not experience harassment under the military governments. However, the leader of the unofficial campesino confederation, Genaro Flores Santos, who returned quietly but openly to Bolivia a few weeks before the amnesty, reportedly received numerous death threats.

The system of internal exile instituted by Garcia Meza was abolished by the May 26 amnesty. This system obligated detainees to travel at their own expense to an isolated place of residence and to report to the local police station sometimes as often as three times daily.

A related measure that forced individuals living at home to register frequently at a police station was suspended in late February and abolished on May 26, 1982.

e. Freedom to Participate in the Political Process

The inauguration of the Government of President Hernan Siles Zuazo on October 10, 1982 restored the Bolivians' right to participate in the political process. The military Government convoked the Congress chosen in the country's 1980 elections. In accordance with the Constitution of 1967, the Congress elected

Siles, who received a plurality in the 1980 presidential election. Eighteen political fronts and parties covering the entire ideological spectrum had been certified to participate in the 1980 election.

By and large persons of heavily European extraction make up the governing structure of Bolivia. Individuals primarily of Indian ancestry have little opportunity to rise to the top positions in the military or the Government because of their lack of education and isolation from the elites' culture, and because of the elites' traditional discrimination against them. President Siles, however, appointed an Aymara Indian as Minister of Peasant, Agricultural, and Livestock Affairs.

Few women are named to high-ranking jobs. None of the four cabinets of the three Governments which ruled Bolivia in 1982 included women. The Congress which was convoked in October contained three women deputies and no women senators.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

In March 1982 Bolivia participated in the 38th meeting of the United Nations Human Rights Commission (UNHRC). The commission published the report of an investigation of human rights practices in Bolivia conducted in October 1981 by the commission's special envoy, Hector Gros Espiell, shortly after the Torrelio Government assumed power. The report detailed fully the violations of human rights during the Garcia Meza regime, but commented on the improvements during the first weeks of the Torrelio Government. The UNHRC, in approving Gros Espiell's report, noted the improvement in human rights during the Torrelio Administration. The Bolivian Government has also cooperated with the UNHRC's Working Group on Disappearances to try to resolve questions about the fate of people missing since the Garcia Meza coup.

The Catholic church, the Permanent Assembly of Human Rights, and the press are the most important monitors of human rights in the country. Most of the Church's direct dealings with the Government on this issue are through the Papal Nuncio. The Bolivian Episcopal Conference plays a role in providing relief to detainees' families. During the military Governments, a priest often but not always was permitted to visit political detainees. This priest was harassed intermittently, but no other instances of governmental retaliation against the church are known.

The Permanent Assembly of Human Rights takes less direct action but is more active in publicizing detentions, violations of human rights, and conditions leading to violations of human rights. This broader definition of its function has led it to make statements which have caused public controversy. The press was most effective in publicizing detentions and exilings by the military Governments.

The Church, the Permanent Assembly, and the press received information from the families, political parties, and labor unions of detainees. Early in the year the security organs reportedly warned detainees upon their release of the adverse consequences of revealing to human rights organizations the treatment they received while in detention.

4. Economic, Social, and Cultural Situation

The World Bank's 1982 development report estimated Bolivia's population at 5.6 million (mid-1980) with a growth rate of 2.6 percent (1980). Life expectancy at birth in 1980 was estimated to be 50.2 years. The infant mortality rate is very high, 131.3 per 1,000 live births (1980 est.). Data from some other sources suggest that 252 per 1,000 children do not reach the age of five, and the 1976 census reported that 291 out of 1,000 rural children (compared to 186 per 1,000 urban children) die before their fifth year. These figures correspond closely to the small proportion of the population which has access to safe water - 14.4 percent (1976) - and the calorie supply available for consumption relative to nutritional requirements - 83 percent (1977).

Bolivia's economy is burdened with a large foreign debt, a stagnant public sector (which generates 80 percent of GDP), and a potentially productive private sector which lacks sufficient government incentives or capital. GDP reached an estimated $7.5 billion in 1981, but will probably drop in real terms by about 5 percent in 1982. The Bolivian per capita product was $573.50 in 1980 but has since declined. Between January and September 1982 inflation reached 126.3 percent; between February and September the value of the dollar rose by 900 percent against the peso; and from the beginning of the year until September there was a 28.4 percent drop in the purchasing power of the average Bolivian worker. These declines do not affect all segments of society equally. The upper class often has investments and savings abroad or income denominated in dollars. The lower class, which forms the bulk of the population, remains on the margin of the money economy, and many continue to live by subsistence farming. The urbanized middle classes suffer the most because their salaries do not keep up with inflation. They usually do not receive dollar incomes, but often have loans denominated in dollars.

The adult literacy rate was estimated to be 62.7 percent in 1976, but recent Bolivian estimates place it at about 75 percent.

Public education is free and, in urban areas, generally available though subject to disruption during periods of governmental change or unrest. Except in the most isolated areas, Bolivian rural youth can expect at least three years of schooling. The primary school enrollment ratio was estimated at 87 percent in 1979. Instruction at government schools is conducted only in Spanish. All Bolivian universities except Catholic University in La Paz and the Protestant college in Santa Cruz belong to the state system.

Since the 1952 revolution, racial discrimination has been banned in Bolivia. However, informal social discrimination against persons of Indian ancestry persists. Positive correlations exist between high socio-economic position and European origins and between low socio-economic position and Indian origins.

Equality between the sexes is greater in traditional Indian society than in Hispanic European society. Many peasant merchants and craftspersons are women. They contribute significantly to their families' incomes and have important voices in their families' and communities' affairs. Women in the Hispanic European society are much more likely to stay at home and be socially but not economically or politically active.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: BOLIVIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	30.1	12.8	19.6
LOANS..............	17.3	0.2	10.0
GRANTS.............	12.8	12.6	9.6
A.AID	4.5	2.3	2.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	4.5	2.3	2.1
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	24.8	9.5	16.4
LOANS..............	17.3	0.0	10.0
GRANTS.............	7.5	9.5	6.4
TITLE I-TOTAL..........	17.3	0.0	10.0
REPAY. IN $-LOANS......	17.3	0.0	10.0
PAY. IN FOR. CURR......	0.0	0.0	0.0
TITLE II-TOTAL.........	7.5	9.5	6.4
E.RELIEF.EC.DEV & WFP.	2.1	0.8	0.5
VOL.RELIEF AGENCY......	5.4	8.7	5.9
C.OTHER ECON. ASSIST...	0.8	1.0	1.1
LOANS..............	0.0	0.2	0.0
GRANTS.............	0.8	0.8	1.1
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.2	0.2	0.2
OTHER............	0.6	0.6	0.9
II.MIL. ASSIST.-TOTAL...	0.3	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.3	0.0	0.0
A.MAP GRANTS..........	0.2	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.1	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS.........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	30.4	12.8	19.6
LOANS..............	17.3	0.2	10.0
GRANTS.............	13.1	12.6	9.6
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	90.3	8.2	97.0	1131.3
IBRD	50.0	0.0	0.0	239.7
IFC	0.0	5.7	0.0	9.3
IDA	16.0	0.0	0.0	109.4
IDB	22.6	0.0	97.0	676.5
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	1.5	1.0	0.0	37.6
OTHER-UN	0.2	1.5	0.0	8.8
EEC	0.0	0.0	0.0	0.0

BRAZIL

A gradual process of political liberalization begun in the mid-1970's has substantially moderated the authoritarian military-based regime established following the 1964 coup. Brazil has a functioning congress and a constitutionally independent judiciary, but the focus of political power remains the presidency, which is strongly supported by the military and which has been held by retired officers since 1964. The post-1964 regime originally based its legitimacy on an appeal to national security and economic development, and the Government's professed goal is to return to a representative democracy in a manner consistent with these fundamental objectives. The Government has relinquished most of its extraordinary instruments of political control. A general amnesty decreed in 1979 resulted in release of political prisoners and return to political life of many exiles and others formerly deprived of their political rights.

This political "opening" is taking place in an atmosphere of vigorous debate, and the right to criticize government policies is freely exercised. Nationwide elections for congressional, gubernatorial, and state and local offices took place as scheduled on November 15. Opposition parties won gubernatorial races and legislative majorities in ten states as well a majority in the lower house of the federal congress. The election results will determine the make-up of the electoral college that will choose the next president in 1985.

The integrity of the person is generally respected in Brazil, and such exceptions as do occur are localized aberrations that do not reflect official policies. Constitutionally guaranteed civil and political rights, including freedom of speech, press, religion, and assembly are respected in practice, with a few, fairly well-defined qualifications.

Apart from the successful completion of the national elections, there have been few significant changes during the past year in the state of human rights. The long-term improvement in human rights protection and observance began with political, legal, and institutional changes during the late 1970's; 1982 has witnessed the continued consolidation of the earlier changes and the practical exercise of these rights within the expanded amplitude for political activities.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

In 1982 there were no reported incidents of killing for political reasons attributed to federal or state government authorities, political parties, or other organized political entities. During the election campaign there were reports of at least one death (at a clash during a political rally at a remote town in the State of Para) and a few attempted assassinations of candidates. The indications are that these incidents were the result of local animosities and personal feuds rather than a pattern of organized or planned political violence. There is no evidence that the Government or the leadership of the opposition political parties have participated in or condoned such actions.

b. Disappearance

Abduction, disappearance, and secret and clandestine detention for political reasons were not reported in 1982. In common crimes, charges of clandestine detention have occasionally been levelled against police authorities by organizations such as the National Bar Association, the Catholic Church, as well as individual families. In some cases where the officials responsible for clandestine detentions were identified, they have been brought to trial and some have been convicted, while others have been acquitted for lack of evidence.

A Washington Office on Latin America (WOLA) report of August 1982 states that many past cases of disappearance remain unresolved. It also states that there is evidence of peasant farmers disappearing in the northern regions in 1982.

c. Torture

Torture is prohibited by the penal code. The National Bar Association and church authorities allege that torture has been committed by local police in cases of arrest for common crime. There is no particular pattern in these reported cases, which appear to be localized aberrations rather than a reflection of official policy. In 1982 in Nova Iguacu (in the State of Rio de Janeiro), a local police officer was sentenced to 23 years in prison for participation in the torture and murder of a suspected drug trafficker. The only such accusation against federal authorities during 1982 took place when church authorities claimed squatters in the State of Para were tortured to obtain evidence against two French priests charged with violating the National Security Law.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Despite official policy against such treatment, excessive police violence used while apprehending suspects is sometimes reported in the press. Press accounts also on occasion allege non-official participation by local police officials in so-called "death squad" killings (whose victims apparently are petty criminals or involved in drug traffic) in the impoverished suburbs of Rio de Janeiro, despite efforts to stop such practices.

Detention facilities are overcrowded, and the level of prison health care, diet, and sanitation is low. Officials contend that the country lacks the resources to upgrade detention facilities. As an expression of his concern over conditions in the Ilha Grande prison, Cardinal Dom Eugenio Sales refused to offer Christmas mass there in 1981, citing what he called the refusal of government authorities to rectify reprehensible prison conditions and their failure to treat prisoners in a civilized fashion. Subsequently he announced the resumption of his prison pastoral activities after concluding that conditions had improved. Although there are no legal distinctions based on race, sex, or religion, different treatment is rendered to prisoners based on social class. For instance, while undergoing trial, detainees with a university degree are held in special facilities not open to other prisoners.

e. Arbitrary Arrest and Imprisonment

Habeas corpus is constitutionally guaranteed and respected in practice. Courts are required to rule immediately on habeas corpus petitions. In the event of arrest, the law provides for the immediate notification of a judicial authority who must then determine the legality of the arrest and set bail if the offense permits it. Brazilian courts have ruled that the immediate notification period may extend up to 24 hours for investigative purposes. If this procedure is not followed, an attorney may file a habeas corpus request on behalf of the prisoner and request the punishment of the police authority who detained the prisoner illegally. When a judicial authority is notified about the arrest, the prisoner must receive from the police a notification informing him about the charges against him. The press has reported a few isolated deviations from such practice, which apparently were subsequently rectified.

Brazilian law permits persons arrested to be held without bail in certain cases. The detention may be administrative (as in cases of extradition or embezzlement) or judicial (as when a judge believes that the defendant would not appear for trial or that his release would constitute a threat to society or to the legal process). Detention without bail must be ordered by an administrative authority (such as a minister of state) or a judge; it cannot be ordered by police authorities. Such detention may be extended until trial takes place or until the authority or judge finds that the basis for the detention no longer exists.

In cases arising from offenses against the National Security Law, arresting authorities--police or military--may order detention without bail for a maximum of 60 days. A judge must approve such detentions beyond 30 days. National security cases are subject to habeas corpus and immediate notification.

f. Denial of Fair Public Trial

By law and in practice Brazil guarantees the right to a fair public trial. Normally cases are tried before a single judge, but jury trials are required in cases of willful crimes against life. Defendants are entitled to counsel, which the Government provides free of charge if they cannot pay. Brazilian law requires that defendants be made fully aware of the charges against them, and defendants and their lawyers are legally entitled to be informed of the evidence on which the charges are based.

The Brazilian judicial system is an independent branch of the Government. The system provides for a range of courts to deal with specific types of activity -- i.e. criminal, civil, electoral, family, and labor. The Government is now proposing to establish a system of small claims courts to provide access to legal process by those who cannot afford to pay for court and counsel costs. The proposed new system will adopt the summary process of law, and petitioners will not require an attorney to present their case.

The military court system, which is part of the judicial rather than the executive branch, hears cases involving members of the military and civilians charged with offenses against the National Security Law or military institutions. Judgments by military courts can be appealed to the civilian Supreme Federal Tribunal.

g. Invasion of the Home

Judicial warrants are required for police authorities to enter a home, except in cases of accidents or when a crime is in the process of being committed. Notwithstanding these provisions, the Brazilian press has carried reports of illegal entry into homes by police officials.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The right to free speech and a free press is guaranteed in the Brazilian Constitution (with certain qualifications based on national security) and these liberties are vigorously exercised. Members of the political opposition are free to criticize the Government and exercise this right in speeches, interviews with electronic and print media, and in writing. There is no government censorship of the print media, although they are legally accountable for what they publish. Discussion of public issues and criticism of official policies and the performance of government officials is freewheeling, and in some publications criticism is often scathing and highly personal. Radio and television are somewhat more cautious and exercise some internal controls over programming to avoid potential conflicts with the Government over content, especially in matters of national security Frequently, however, they broadcast varying viewpoints on controversial social and political topics. There have been no reports of government censorship or closing of communications media. Similarly, books are not censored, and foreign publications are widely distributed in translation as well as in the original language. Films, both domestic and foreign, are subject to censorship for political content as well as for sex and violence. Such censorship is sparing, mostly in the form of a rating system analogous to that used in the US.

There has been no reported interference with academic inquiry in the natural or social sciences or persecution of professional groups.

The principal qualification to these freedoms is a provision of the National Security Law which makes it a criminal offense to divulge "false or tendentious statements, or true, partial, or distorted facts in a manner to turn or attempt to turn the people against constitutional authorities." One federal deputy was convicted under this law for alleging that three army generals were involved in terrorist acts that took place in 1980. There are similar cases pending against two other deputies, and in the past the law has been applied on occasion against journalists. In September 1982 a leading newspaper publisher was charged under this law for an editorial which allegedly offended the honor of a major government official. The case was later dismissed by the court on the grounds that it did not affect national security.

There were instances of harassment of the "dirty tricks" variety against opposition political figures during 1982 (e.g. spurious classified advertisements, distribution of scurrilous pamphlets, alleging sexual or other improprieties). Perhaps the most serious was the publication and distribution of false editions of the newspaper of the Archdiocese of Sao Paulo designed to discredit the church. There are indications that right-wing elements of government security forces were involved. The incidents, which are still under investigation, have not prevented the objects of such harassment from disseminating their views to the public.

b. Freedom of Peaceful Assembly and Association

There are no legal limitations on assembly except when the public order is threatened. Illegal organizations such as the National Students Union have in fact been allowed to assemble and organize, but participants in a December 1982 congress of the Brazilian Communist Party were arrested under the National Security Law on grounds that they were attempting to reorganize a clandestine, proscribed political party. All were released within a few days pending trial.

There have been infrequent instances of official suppression of political demonstrations, marches, or rallies, usually arising when organizing entities have persisted in carrying through on their plans after permits were denied them by Brazilian authorities. These episodes have not resulted in violence, however, and permission for peaceful political rallies and demonstrations is usually granted, though normally the locations and times for such activity are specified and must be adhered to.

Labor unions have the effective right to organize, negotiate, and strike. However, strikes in essential industries (which have been broadly defined) or that threaten public order are illegal, and unions are prohibited from engaging in partisan political activity. Unions nevertheless openly engage in direct lobbying efforts to influence legislation affecting labor in the National Congress despite this ban. Union leaders are under no such restrictions, however, and many union officials ran for political office in the November elections, while others openly supported and campaigned for political candidates. Although labor unions are beginning to play a growing, if still limited, political role, their primary concerns are still with bread-and-butter issues. The Government has taken a tolerant attitude toward strike activity -- even some illegal strikes -- but the frequency of strikes remained low in 1982 principally because of the depressed economy. A single, unified labor central is not permitted by current labor legislation. Nevertheless, a conference of labor leaders took place for the purpose of forming such an organization in August 1981 without government interference, and a committee set up then has continued to work toward this goal.

Brazilian labor syndicates were created by the central Government in the 1930's. While the Government continues to exercise influence over organized labor, the degree of influence varies greatly from one union to another and also by locality. The level of unionization averages around 20 percent among metal, chemical and mine workers, retail workers, and in transportation, communications, banking, and the teaching profession, and runs slightly lower--about 15 percent--among agricultural workers. The metal workers of the Sao Paulo area are the most highly organized sector, with a membership of around 40 percent.

There was little evidence of harassment of labor unions during 1982, nor of interference with scientific bodies or professional organizations. Both unions and professional organizations maintain relations with recognized international bodies in their fields. In April former metalworkers union leader Luis Inacio (Lula) da Silva and ten other labor leaders convicted under the National Security Law for conducting an illegal 1980 strike were effectively exonerated when the Supreme Military Tribunal declared itself incompetent to rule on the case.

c. Freedom of Religion

Freedom of religion is fully respected. There is no state religion. Minority religions are not persecuted or harassed. Adherence to a particular faith does not confer advantage or disadvantage in secular areas. Although the overwhelming majority of Brazilians belong at least nominally to the Roman Catholic Church, there are no legal or actual restrictions on the religious activities of other denominations or faiths, and they are free to proselytize.

Conflicts have arisen between state and church authorities over activities of priests and missionaries involved in certain political and social action programs which the Government views as subversive or disruptive of governmental authority or social order. Two French priests were convicted in June under the National Security Law for inciting land invasions by peasants in a remote area of the State of Para that led to violent confrontations with local police. In general, however, the church is able to carry out social action programs, including political "education," without overt government interference, although isolated instances of harassment have occurred.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There are no restrictions on movement within the country or on emigration or repatriation, nor are women or other groups subject to separate provisions in these areas. Brazil applies a selective refugee policy, based essentially on geographical proximity, cultural affinity, and the nation's ability to absorb newcomers. Hence Brazil accepts refugees primarily from southern cone countries -- Argentina, Chile, and Uruguay. A limited number of Indo-Chinese refugees rescued at sea by Brazilian flag vessels have also been accepted. After years of a much more liberal policy, Brazil has now slowed overall immigration to a trickle. Brazilian law provides for political asylum but is not precise on criteria.

e. Freedom to Participate in the Political Process

The political liberalization process begun in the mid-1970's has greatly moderated the authoritarian regime established in 1964. Political power, however, remains highly centralized and concentrated in the office of the President, who is elected indirectly by an electoral college. Like all presidents since 1964, the incumbent is a retired general who governs with the strong support of the military as well as the pro-government civilian political party. There is a functioning congress but its influence in major national decisions has been limited. Despite their minority position, however, the opposition parties in past congresses have sometimes managed -- with help from dissident government party members -- to defeat government-sponsored proposals.

Particularly below the presidential level, there is genuine freedom to participate in the political process. National elections for municipal, state, and congressional offices were held on November 15. State governors were directly elected for the first time since 1962. Five parties -- one government party and four opposition parties -- competed for these offices. The opposition parties won ten of twenty-two gubernational and legislative races--including the important states of Sao Paulo and Rio de Janeiro--and, as a group, will have a majority in the lower house of the federal congress when it convenes in March 1983. The Government party will retain control of the federal senate and will have a plurality in the lower house. In all, some 44,000 offices were filled by an electorate of approximately 55 million.

The election results also determine the make-up of the electoral college that will elect the next president in 1985. Under current legislation, the electoral college will consist of the full federal congress plus six representatives from each state chosen by the majority party in each state legislature. The elections were therefore a major step in the political liberalization process.

Citizens are free to participate in government through such avenues as suffrage, political party affiliation, membership in interest groups, and direct approach to office holders. All of these means are openly available; use of them varies with educational level, interest, physical proximity, and other factors. Opposition parties and groups -- except for the Communist Party, which remains illegal -- operate freely and participate vigorously in the political process.

Voting is secret and mandatory for adult literates; illiterates may not vote. The 1982 elections, as well as previous ones in 1978, 1976, and 1974, were generally acknowledged as being free of significant fraud. Prior to the November elections, members of the opposition charged that some Government changes in the election rules were designed to increase the vote for the Government party, but it is not clear that the rule changes had that effect. Access to radio and television for campaign purposes is strictly controlled, with all parties given equal access, but other types of campaign propaganda (billboard, printed advertisements, leaflets, and posters) are liberally used.

The election campaign was generally free of violence, although there were isolated instances of attacks against candidates, mostly in northeastern states. These acts appear to have arisen from local animosities, and there is no indication that federal or state authorities fostered or condoned such acts.

Discrimination on the basis of sex and race is illegal. Nevertheless, women and members of minority groups find places in the governing structure in much smaller numbers than their proportional share of the population. Their relative underrepresentation may be due more to prevailing cultural attitudes and economic realities rather than to outright discrimination. Problems of nationality and statelessness are not significant factors.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Although the Brazilian Government considers international and third country investigation into alleged human rights violations as unwarranted interference in Brazil's internal affairs, the federal Government has not impeded visits by representatives of such organizations in recent years. No visits to investigate possible violations in Brazil are known to have taken place in 1982.

Non-governmental Brazilian organizations such as the National Conference of Brazilian (Catholic) Bishops, the National Bar Association and its local chapters, the Brazilian Press Association, and local lay and church-sponsored "justice and peace" groups are able to investigate and publicize alleged human rights violations or institute legal proceedings to redress them.

Brazil is a party to a number of United Nations Human Rights conventions including the conventions on genocide, racial discrimination, refugees, and the political rights of married women. Brazil has not signed the Inter-American Convention on Human Rights.

Among non-governmental human rights organizations, Amnesty International, in its 1982 report, expressed its concern about "the growing number of prosecutions of civilians by military courts on charges related" to the National Security Law. Other observers disagree on this alleged trend. Freedom House's 1982 report classified Brazil as "partly free."

4. Economic, Social, and Cultural Situation

After a decade of impressively high growth rates, the Brazilian economy is in a period of adjustment. From an average annual growth rate of 11.5 percent in the years before the OPEC oil crisis, growth dropped to an average 6.6 percent in the subsequent period (1975-1980). Compared to 1980's eight percent real growth, GDP growth in 1981 was minus 1.9 percent, and economic activity appears to have been flat in 1982. The economy continues to face difficulty, especially in regard to inflation and the balance of payments. Stable oil prices have helped while the strengthening of the dollar and high international interest rates in combination with lower world growth have had a negative impact. Planned Government austerity measures will likely keep growth low in 1983. Brazil converted a 1980 trade deficit of $2.8 billion into a surplus of $1.2 billion in 1981. The 1982 trade surplus was expected to be smaller than 1981's. Brazil's foreign debt exceeded $72 billion in 1982. Inflation climbed from 77 percent in 1979 to 110 percent in 1980, declining slightly to 95 percent in 1981. Despite lower growth and government efforts, the 1982 annual rate was again close to 100 percent.

Seventy percent of Brazil's population of approximately 124 million lives within 100 kilometers of the coast. Rural-to-urban migration is concentrating population increases in cities, where basic economic needs are more adequately met. Preliminary 1980 census data indicate that the annual population growth rate for the past decade has been 2.5 percent, compared with 2.9 percent for the 1960-70 decade. Population growth and migration have complicated the Government's ability to keep up with the expanded need for public health and social services.

Income distribution is a serious domestic social problem, even though evidence suggests that nearly all social strata have benefitted from the country's economic growth. In 1980 GNP per capita was slightly above $2,000. According to government statistics, between 1960 and 1976 the concentration of income in the richest 10 percent of the population increased from 29.6 to 59.4 percent, while the share received by the poorest 50 percent fell from 17.4 to 13.5 percent. Regional income differences are marked, with the south-southeast -- containing slightly more than 50 percent of the population -- earning 82 percent of the income. The present national salary law provides that workers earning from one to three times the statutory minimum wage (equivalent to approximately $100 per month in the major states) receive semi-annual wage adjustments of 110 percent of the calculated rate of inflation.

It is difficult to generalize nationally about an absolute poverty level because of marked regional differences in income and living standards. The Brazilian Government divides the country into five regions each having a different minimum wage (which constitutes one view of poverty level) varying from approximately $60-100 per month. In the major population centers, it is likely that such an income would fall within the definition of poverty, whereas in some more remote areas, where inhabitants are less integrated into the economy, a ready source of food such as fish and some subsistence farming may provide minimum nutrition to a family with a negligible cash income. Life expectancy is officially estimated at 62.8 years. Nationally, infant mortality is 92 per 1,000 live births, but again there are widespread regional differences.

Health personnel and health facilities are concentrated in urban areas and the industrial southeast, which accounts for 80 percent of the physicians, 73 percent of the nursing personnel, and 79 percent of the hospital beds. The Government is attempting to improve safety and health conditions in the work place.

Significant portions of the society lack some vital needs -- nutrition, potable water, basic education, and medical care. Illustrative of this are the findings of a 1980 Brazilian congressional inquiry which found that Brazil has two million abandoned children and eighteen to twenty-five million children without the basic necessities of life. Adult literacy was officially estimated in 1979 at 75.7 percent (although some Brazilian educators believe this figure to be high). The primary school enrollment ratio in 1977 was 89 percent, but the Ministry of Education estimates that some seven million school-age children are not being reached by the educational system.

In the course of Brazil's rapid though uneven economic development, women have made some strides in attaining equal status. Basic legal rights are guaranteed without regard to sex. In Brazil's relatively affluent, economically and politically dynamic urban areas, women are becoming increasingly active in the professions, industry, education, the arts, and media as well as political life, including a small representation in the national congress. This level and this range of activities are much less in evidence in the rural, economically underdeveloped sectors of the country, and especially in the northeast, where poverty and traditional attitudes constitute obstacles. Although a legal requirement, equal pay for equal work is not widely practiced.

Upon taking office in 1979 the Figueiredo administration announced it sought to improve living standards (in the form of better health care, housing, education, and social services), reduce income disparities among individuals, and improve the lot of disadvantaged regions. At the same time the Government made clear that its immediate priorities were to raise agricultural production and reduce inflation. It also indicated that the fulfillment of its social and economic objectives would depend, over the medium run, on resolving the balance of payments and energy problems. Faced with these economic restraints, the Government is finding it more difficult than in previous years to make progress in the fulfillment of vital needs. The social welfare system is a very visible and controversial example of the conflict in priorities. Severe financial difficulties, which led to increases in the contribution rates in 1981, continue to plague the system, leaving the Government to face the choice of increasing public expenditure, increasing the rate of contributions, or reducing services. Similiar financial constraints confront other social services. Over the next few years, it is likely the Government will have all it can do just to keep vital services from deteriorating, much less find the resources necessary to improve or expand them.

The country's estimated 200,000 Indians have suffered in recent decades from the gradual encroachment of Brazil's coastal-based population and from the Government's efforts to promote economic development in the Amazon region and frontier areas where most Indians live. The increasing contact between Indians and newcomers has bred occasional conflict. The Figueiredo administration has renewed the government's commitment under the 1973 Indian Statute to protect the Indian population, and the federal Indian Affairs Agency has been charged under the law with the task of demarcating tribal lands, which would provide a greater measure of security for the Indians. The process of demarcation of tribal lands is continuing but, partly because of numerous disputes that have arisen, is expected to take several years to complete.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: BRAZIL

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	2.4	1.1	12.1
LOANS...............	0.0	0.0	0.1
GRANTS..............	2.4	1.1	12.0
A.AID	0.0	0.0	11.4
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	11.4
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	1.4	0.6	0.3
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.4	0.6	0.3
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	1.4	0.6	0.3
E.RELIEF.EC.DEV & WFP.	1.4	0.6	0.3
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	1.0	0.5	0.4
LOANS...............	0.0	0.0	0.1
GRANTS..............	1.0	0.5	0.3
PEACE CORPS......	1.0	0.3	0.0
NARCOTICS........	0.0	0.2	0.3
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	2.4	1.1	12.1
LOANS...............	0.0	0.0	0.1
GRANTS..............	2.4	1.1	12.0
OTHER US LOANS..........	99.3	115.9	91.0
EX-IM BANK LOANS.......	68.8	115.9	91.0
ALL OTHER..............	30.5	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	1227.8	1426.1	1528.0	11801.9
IBRD	320.0	719.0	1035.5	6998.9
IFC	74.0	229.2	206.6	933.4
IDA	0.0	0.0	0.0	0.0
IDB	329.9	477.3	284.6	3768.6
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	2.6	0.6	0.0	77.5
OTHER-UN	1.3	0.0	1.3	18.5
EEC	0.0	0.0	0.0	0.0

CHILE

Chile has been ruled by a military government since 1973 when, following a period of economic dislocation, violence, and concern in the armed forces and among large segments of Chilean society that Chile was moving toward a Marxist-Leninist state, the Chilean armed forces overthrew the elected government of Salvador Allende. Following an initial period of de facto military government, which saw harsh actions against opponents of the regime, Chile adopted a new constitution in March 1981, approved by a two-thirds majority in a national plebiscite held in September 1980.

The Constitution provides for a further eight years of military government (1981-1989) headed by President Augusto Pinochet who is the dominant figure in the Government. In 1989 a plebiscite will be held on a government-approved candidate to serve as president until normal elections are held in 1997. If he is rejected, a direct, contested presidential election will be held in 1990. Congressional elections will be restored in 1990. In the meantime, the military junta exercises the legislative power of state. The protection of individual rights spelled out in the 1981 Constitution is circumscribed by the extensive executive powers in its transatory provisions, particularly Article 24.

The human rights situation in Chile has improved significantly in comparison with the post-coup period, 1973-77, when the regime undertook a series of strong repressive measures in response to what was perceived as a state of virtual civil war. Recent trends, however, show that the pace of improvements has slowed in the past two years. Human rights groups charge that the Government has constrained peaceful political opposition and relied excessively on the arbitrary action of police and security officials to suppress dissent. Arrests for non-violent political offenses and allegations of torture continued in 1982. The number of cases in some categories has declined or leveled off in the last three years, but in 1982 arrests and instances of internal exile increased. This is attributable to numerous mass detentions arising from unauthorized rallies and demonstrations organized in the final months of the year.

A continuing "state of emergency" has been extended regularly every three months since 1973. It gives the Government extraordinary authority to deal with an extremist threat, although the same powers are often used against non-violent dissenters as well. Government actions taken under these emergency powers are not subject to judicial modification. In several instances, however, the courts and press have taken positions defending human rights. Police detentions are authorized prior to public notification of the arrest, but in most cases such detentions are limited to an investigatory period of five days. In general it appears that both police and judicial procedures for avoiding infringements of constitutionally-guaranteed rights have improved recently.

There are, on the other hand, continued credible reports of torture and abuse by the police and security forces. According to the Inter-American Human Rights Commission, a large part of the rights and liberties guaranteed by the Inter-American Declaration of the Rights and Duties of Man is severely restricted in Chile. In addition, both administratively authorized internal exile and expulsion from the country are permitted under the transitional articles of the Constitution and have been used by the Government.

In October 1982, President Pinochet established a commission to review the cases of those currently exiled. The commission completed its report in mid-December and on December 24, 1982 the Government announced that 125 exiles would be re-admitted to Chile. The commission was then disbanded, but it is understood that others from the large exile community abroad will be readmitted subsequently. Nevertheless, there were several new expulsions during the existence of the commission.

Political parties remain formally dissolved and freedom of speech and assembly are restricted, although some political activity and considerable criticism and press discussion are tolerated. Labor union activity is restrained but collective bargaining and a limited right to strike were restored in 1979 under a new labor law.

In 1975 the Government embarked on a new socio-economic policy with a program to reduce the role of government, to open the economy to world market competition and to reform fiscal policy to overcome the large inflationary government deficits of the past. Following a difficult readjustment period, the economy experienced a period of strong growth averaging seven percent in real terms from 1976 through 1981, with declining inflation and rising employment. This pattern persisted through mid-1981, at which time Chile began to suffer from the adverse effects of the international recession and its own overvalued exchange rate. The year 1982 was characterized by growing economic problems and high unemployment. The recession has affected all strata of society but lower income groups have been the most seriously affected by the loss of jobs. New public works projects are being initiated and old ones augmented to help provide jobs. In addition, social spending has grown to about 59 percent of the government budget and is now more carefully focused on poorer segments of the population. Important efforts in health and nutrition programs have substantially cut infant mortality over the past decade. The Government has increased real expenditure levels on education, with the largest amount devoted to the pre-primary, primary and intermediate levels.

The first six months of 1982 were relatively free of political violence but extremist violence showed a moderate increase beginning about mid-year. Bombings resulted in one death and several persons injured. Groups associated with the Movement of the Revolutionary Left -- many members of which reportedly received Cuban training -- claimed responsibility for most of these incidents.

1. Respect for the Integrity of the Person, Including Freedom from:

   a. Killing

There has been a continued decline in politically motivated deaths when compared to the 1973-77 post-coup period. Five killings occurred in 1982 which very probably were politically motivated. Two persons were killed in January, when Government security forces shot two members of the Movement of the Revolutionary Left in armed clashes resulting from investigations into the November 1981 assassination of three police detectives. In February, Chilean labor leader Tucapel Jimenez was murdered. Continuing official efforts to find his killers have not been successful. Allegations have been made that the Government was responsible. In March, a former communist youth leader, Rene Basoa, was killed, allegedly by former comrades because of information he had given Government security forces. His killers have not been found. In August a twelve-year-old boy was killed when a bomb exploded. On the same day, bombs were placed in three government offices, for which the Movement of the Revolutionary Left took credit. In September, a Carabinero corporal was seriously wounded in a terrorist attack upon a police station. In late November, Dagoberto Cortez, a Movement of the Revolutionary Left leader, was killed in a shoot-out with security forces. The details of and responsibility for these incidents were unclear.

The Government's control over its security and military forces is strong. A police detective was arrested, charged, and released on bail for the 1981 killing of an alleged Movement of Revolutionary Left member in a reported violent encounter. He is still awaiting trial. In January 1982, two Government security agents were sentenced to death by a Calama court for the murder and robbery of two bank employees. The death sentence was upheld by all appeal courts, including the Chilean Supreme Court, and the convicted murderers were executed.

Terrorist attacks in 1982 concentrated on property, particularly bombings of electrical power stations. At least 23 bombings occurred in 1982 and others were attempted. The Movement of the Revolutionary Left generally claimed credit for the attacks, although there is also some evidence of communist youth involvement. Considerable evidence exists to show Cuban and East European training and other support for terrorist groups whose announced objective is to overthrow the military regime and replace it with a Marxist-Leninist revolutionary state.

b. Disappearance

There were no allegations in 1982 of disappearances. The last reported disappearance attributed to government security forces occurred in 1977. The Chilean Supreme Court appointed special judges in 1979 to investigate many of these disappearances, but none of the 635 cases from the period 1973-1977 have been resolved. While investigations continue in some cases, in others action has been suspended or referred to military justice officials when military or police involvement was suspected. Some families of the disappeared have appealed the suspension or referral to the military courts. To date, the appeals have had little effect in resolving the whereabouts of those who disappeared.

c. Torture

According to human rights sources, in 1982 57 persons filed complaints of torture or cruel and unusual punishment before the courts, compared with a 1981 total of 68. Most individuals alleged that they were subjected to beatings, electric shocks, or threats, particularly during the first days of their detention prior to arraignment. The 1981 Constitution prohibits "use of all illegal pressure" and "guarantees to all persons the right to life and to the physical and psychic integrity of the individual," and high-level Government officials publicly and privately deny that the use of torture is authorized. While the courts have required investigations of some complaints, to date none has been officially substantiated. Most charges of torture were against the National Center for Information, which is the successor security agency to the National Intelligence Directorate, known widely as the "DINA". Torture was generally alleged to have taken place at secret detention centers. Amnesty International lists numerous cases of torture in its 1982 report. Some of the allegations of torture appear credible.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Human rights sources, including Amnesty International, report a number of allegations of serious mistreatment during 1982. While most detainees do not file formal claims of mistreatment, some persons detained during unauthorized demonstrations or on suspicion of proscribed political activities have complained of beatings and being forced to remain unclothed for extended periods of time. The International Committee of the Red Cross, Amnesty International, and other organizations have sought to promote humane treatment of prisoners in Chile.

Until January 1981, persons detained in prison for illegal political or terrorist activities were normally separated from common criminals, in keeping with an informal agreement between the Chilean Government and an ad hoc working group of the United Nations Human Rights Commission (UNHRC). Since January 1981, in conformance with the Government's position that there are no political prisoners in Chile, all violators of internal security laws have been lodged in the same penal facilities with other offenders. They have the rights of visitation and communication with family, friends, legal counsel, and representatives of the International Committee of the Red Cross (ICRC). There have been no allegations that physical conditions in Chilean prisons are worse now than under previous governments.

e. Arbitrary Arrest and Imprisonment

When people are detained for political activities, friends or relatives normally report the detentions, the press publicizes them and the Government subsequently acknowledges them. Under the transitional provisions of the 1981 Constitution, security officials may detain individuals for investigation for a period of up to five days and up to twenty days in cases involving terrorist acts, involving death, injury, or kidnapping. During this specified period security officials are not obligated to honor writs of habeas corpus (amparo).

Although the Government denies holding political prisoners, at the end of 1982, 249 persons were in the judicial process charged with seditious activity or with having illegal arms. Of these, 126 were in jail awaiting trial and 113 were out on bail. Ten others have been convicted and are now serving sentences. Most are accused of violating either the Internal Security Law or the Arms Control Law. People detained for participating in banned public demonstrations or illegal meetings are often held under executive discretion for the full five days. They may then be released, as in the large majority of reported cases, sent into internal or external exile, or charged with internal security violations. In those cases reaching the courts, the investigating judges may take up to five more days to deliberate but, in practice, they have rarely issued indictments.

There were 1213 security arrests in Chile in 1982, of which 312 were individual detentions and 901 mass arrests. The great majority were released within five days of their arrest without charges for lack of sufficient evidence. Sixty-six persons, including some of the above, were "internally exiled", normally for periods of three months, by adminstrative order not subject to judicial review. Most were sent to distant villages as punishment for illegal political activities. The Inter-American Human Rights Commission has stated that the Government has returned to its previous practice of arresting dissidents without reference to due process of law.

While the National Center for Information has limited legal authority of arrest, in practice it has been able to obtain vaguely-worded warrants which give it considerable latitude in making searches or arrests. Under the new Consitution, the courts have become firmer in demanding a prompt accounting from the Government. In May 1982 the Executive and the Supreme Court publicly agreed that the National Center for Information should comply with court orders. Since the agreement, Government security forces have given more prompt notification to courts and families concerning detained persons. Writs of habeas corpus can be and are accepted during the initial arrest period, but the judge is technically required only to verify the legal authority under which the person was detained.

f. Denial of Fair Public Trial

Chile's civilian judges are career officials and most served in the judiciary before the present Government took power in 1973. Since 1978, most violations of the present ban on political activity and most cases relating to alleged human rights abuses have been handled in the civilian court system. First instance jurisdiction for the prosecution of proscribed political activities lies with regular civilian courts, whose proceedings are conducted in accordance with Chile's civil code tradition. As throughout Latin America, there is no trial by jury, and reliance is on the written record rather than oral testimony. In the civilian courts of first instance, a judge serves multiple functions: as prosecutor, sometimes as defense attorney, and ultimately as the one who decides innocence or guilt. Decisions may be appealed up to the Supreme Court.

Arms control violations, often forming the basis of charges against subversives, are tried before a military court. Appeals may be made to a military court of two civilian judges and three professional military judges and, in the last resort, to the Supreme Court. Defendants have the rights of any Chilean citizen before the law, including the right to legal counsel of their choice. Criticisms of the functioning of the courts focus on the perceived general unwillingness of judges to assert a vigorously independent role or, with rare exceptions, to challenge effectively the legality of actions by the executive under emergency powers.

The Government issued a decree in February 1981 granting jursidiction over attacks on government personnel to a military council of war acting under wartime procedures which limit defendants' rights. Use of these special procedures has been appealed to the Supreme Court in the case of self-described terrorist Guillermo Rodriguez Morales, but a decision has not yet been handed down. The decree was invoked only once in 1981 and not at all in 1982. Otherwise, there are no special courts for security violations.

g. Invasion of the Home

The 1981 Constitution prohibits searches of the home and interception of private communications and documents except as determined by law. Provisions in the penal code require search warrants issued by either a judge or military prosecutor for specific locations. In practice, however, such searches are carried out under a general order issued by the judge or prosecutor. Human rights organizations report that in a number of searches legal requirements, such as the display of a warrant, have not been observed.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The 1981 Constitution guarantees freedom of expression and of the press. Although there are no constitutional provisions for government censorship, control is exercised under the authority of Article 24 of the 1981 Constitution. The Government, usually through informal channels, regularly advises print, radio, and television editors when their coverage is considered to depart too far from official policy. To forestall such notification, self-censorship is widely practiced by the media, with most editors adopting a cautious approach to editorial commentary. Nevertheless, articles critical of certain government policies appear regularly in leading publications. The criticism is usually general and not directed against the head of state or ministers by name. Under Article 24, the Minister of Interior has restricted media coverage of acts of terrorism and internal state security cases and forbidden publicity on the private activities of high ranking government officials. He also can prevent the publication and distribution of new publications.

Freedom of speech in private discussions is the norm in Chile, while curtailments on public statements are minimal. Opposition and human rights activists have alleged numerous cases of wiretapping and surveillance over the years. It appears that personal liberties are restricted only in cases of fairly direct conflict with the interests of the Government.

These specific instances of information control occurred in 1982: one editor charged (but found innocent) of giving excessive coverage to a terrorist act; two radio talk shows, potentially critical forums, discouraged before being broadcast; one publisher prohibited from reprinting a compilation of previously-published critical commentaries; and one opposition-oriented magazine closed on the grounds that it violated its license to print only on international themes. This last case was decided in favor of the magazine in January 1983 by the Supreme Court which ruled that the magazine could continue publication, but only on international themes. Appeals continue.

The Government owns one newspaper, one radio network, and the only truly nationwide television network. All other media are held privately by individuals or groups. Most media engage in a limited amount of modest criticism with radio being the most critical, television by far the least and print falling somewhere between.

Imported books are subject to Government approval. Individuals distributing publications considered subversive are subject to arrest and prosecution. All films must obtain approval from a film censorship board, which authorizes cuts of politically-oriented scenes. Some films are not permitted to enter Chile. Occasionally, issues of US and other foreign news magazines are confiscated upon entry. In all of these cases, the print media and radio stations inform the public of such government actions. The Inter-American Press Association noted once again in 1982 that basic freedom of expression exists in Chile, but added that requiring government approval of new publications limits full press freedom.

b. Freedom of Peaceful Assembly and Association

Most public meetings require prior approval of the local military zone commander. In practice, permission is regularly denied when the subject is politically sensitive, although small, inconspicuous opposition party meetings have been tolerated. Political groups espousing Marxism are outlawed. More centrist groups have their right of free assembly restricted. Student political activity is also restricted, although the right to elect student government representatives was restored at the universities in 1979. A law passed in 1981, however, virtually prohibits all political activity in the country's state-supported universities.

Many trade union rights, suspended after the military takeover in 1973, were reinstated in July 1979 by a series of decree laws known as the "Labor Plan" , although these rights are often limited. The trade union movement had little effective participation in the formulation of the Labor Plan and little or no influence in governmental decisions. Trade union organizations can elect their leaders, with certain limitations. Plant level collective bargaining has resumed for the large majority of private sector unionized workers, although not specific sectors. The right to strike is limited to 60 days, after which workers are considered to have voluntarily resigned their jobs. The right to strike does not apply to designated strategic industries, such as public utilities. Management is legally permitted to hire strikebreakers. Following the abolition of the labor courts in 1981, no special grievance procedure exists and all labor cases are handled by the regular courts.

Although unions in certain industries (copper, petroleum, steel) have remained important and influential, many other unions have diminished in size and importance since the labor plan. The number of organized workers has declined from approximately 1,000,000 in 1978 to 400,000 in 1982, about 11 percent of the total work force, excluding the public sector.

The scope for bargaining has been limited to wages, benefits paid in cash or in kind, and certain common conditions of employment, such as safety. Until June 1982, workers were guaranteed their existing wage and benefit package, plus any increase in the consumer price index. The Government does not now require adjustment of wages for inflation and after substantial increases during the period 1976-81, real wages declined by about ten percent in 1982.

The Government publishes a yearly list of "strategic" entities which are forbidden to strike but are allowed to bargain collectively. Approximately 30 were listed in 1981 and 1982, mostly public utilities, the government copper mine and the petroleum industry. For these companies, failure to reach agreement during negotiations leads to binding arbitration.

The civil service is allowed to form associations but not unions. It does not have the right to bargain collectively or to strike. The dock workers national unions, as previously constituted, and the union card which severely restricted access to port jobs, disappeared in 1982. National dockworkers unions were replaced by small independent unions established in individual private companies which contract ship handling services.

Official constraints on labor unions include the blocking of efforts directed toward the formation of national unions, which had been highly politicized in the past. Organized labor continues to press for a full investigation of the death of labor leader Tucapel Jimenez. Individual labor leaders have sometimes been dismissed under circumstances suggesting that they lost their jobs because of criticism of management or of the Government. Professional groups and associations have not been hindered in their operation, but their powers have been limited by recent decree laws which were aimed at eliminating compulsory licensing privileges. Regular labor unions are permitted to maintain relations with recognized non-Marxist international bodies in their fields.

In 1982, the International Labor Organization (ILO) maintained the same position on Chile as it had in 1981. It rejected a credentials challenge from east bloc countries but continued to express its concern about the violation of ILO Convention 87 on the freedom of association and the protection of the right to organize.

c. Freedom of Religion

Chile, predominantly a Catholic country, respects freedom of religion. A number of Protestant denominations and other groups are active. The Jewish community reports full freedom and tolerance.

d. Freedom of Movement within the Country, Foreign Travel, Emigration and Repatriation

Chileans are free to leave their country. As many as one million Chileans live abroad, principally for economic reasons. Over half this number have resided for many years in Argentina. In the judgment of international organizations dealing with migrants, the volume of skilled and unskilled workers returning to Chile now slightly exceeds the number leaving. Most of the current migrants seem to be motivated by economic rather than political factors.

Many thousands, however, also left Chile for political reasons when the current Government took power. Hundreds sought asylum in foreign embassies, and others left subsequently. The Government was eventually willing to grant safe conduct passes to people who obtained asylum and wanted to leave Chile and, in all but a half dozen cases, they were allowed to keep their Chilean citizenship and passports. Many others were convicted of internal security violations and had jail sentences commuted to exile. Others were simply expelled from the country. The number of people exiled externally has decreased markedly in recent years. During 1982 four Chileans were forced to leave the country.

In recent years, there were several cases of adminstratively decreed exile of well known political figures, including the former president of the Christian Democratic Party, Andres Zaldivar, and human rights activist leader Jaime Castillo. In each of these cases the Government held that the individual had violated the ban on political activity. The efforts of both Zaldivar and Castillo to return to Chile without government authorization have been rebuffed. In late 1982, several prominent Chilean labor leaders were also expelled.

Government decrees require those who are exiled or who are considered to have left Chile illegally to file a petition with a Chilean Consul, if they seek to return, and to promise to refrain from political activity. The Interior Ministry reviews all petitions and, in nearly all cases, the courts have upheld Interior Ministry decisions barring individuals from returning. The Government has released no current figures on petitions acted upon, but local in-country representatives of international refugee organizations estimate the yearly number of returnees at 800-1,000 persons. In its 1982 report, the Inter-American Human Rights Commission said that while the number of Chileans exiled has decreased of late, the practice continues and is a violation of the Inter-American Declaration on the Rights and Duties of Man.

In late October 1982, President Pinochet established a high level commission to review cases of exiles. The stated purpose of the review was to allow the return of all Chileans in exile who accepted the legitimacy of the current Government and the 1981 Constitution and who renounced those activities which led to their exile. It is estimated that perhaps 10,000 Chileans, accompanied by nearly 20,000 family members, left the country voluntarily or involuntarily for political reasons. The commission issued a confidential report to the President in mid-December. The Government subsequently announced on December 24 that 125 persons would be allowed to return, apparently without having to accept any special conditions for their return. The commission was then disbanded, but additional lists of authorized returnees are anticipated. Several expulsions occurred during the commission's existence.

Chile has accepted a few refugees in recent years and makes regular, modest financial contributions to international organizations aiding refugees.

e. Freedom to Participate in the Political Process

Chile is ruled by a military government (junta) headed by a powerful president who has sole exercise of executive power. Portions of the 1981 Constitution, including provisions relating to politico-civic rights and protections, as well as elections, will not go into effect until 1989. The junta has legislative authority, subject to presidential approval. Partisan political activity is legally banned. In 1973, the Government permanently dissolved the parties forming the Popular Unity (Unidad Popular) political front and all other Marxist parties. A 1977 decree law indefinitely disolved all remaining parties. There was universal suffrage in the September 1980 plebiscite. Voting is required by law. The first elections scheduled are the Congressional elections of 1990. Opposition elements criticized the absence of electoral registers or other acceptable safeguards during the 1980 plebiscite, and their inability to publicize fully their objections to the proposed charter.

Notwithstanding the formal ban on political activity, non-Marxist parties are able to operate openly on a limited basis. Marxists found engaging in political activities are generally detained, expelled, or internally banished to a distant town for violating the internal security code or the 1973 law prohibiting Marxist activity.

Women form part of the governing structure, including one who holds a ministerial portfolio. The Minister of Justice, a woman, has served longer in the Chilean cabinet than any other member. There are two women on the Council of State and a number of women serve as mayors of Chilean cities including some important metropolitan areas.

The only sizeable minority, the Mapuche Indians, hold public offices only rarely but that is considered to be more the result of custom, lack of education, and geographic isolation than any deliberate attempt to exclude them from public office. There have been no problems of nationality, citizenship, or statelessness in recent years.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights.

In July 1978, the Government allowed members of a special ad hoc working group of the United Nations Human Rights Commission (UNHRC) to conduct a visit to Chile. Although the group subsequently disbanded, a special rapporteur was appointed to submit human rights reports on Chile to the commission and to the United Nations General Assembly. The Government has officially communicated to UN authorities yearly since 1979 its objection to and refusal to cooperate with the UNHRC's special rapporteur, contending that Chile's special status has no legal or moral validity and is unjustifiable discrimination against Chile. The Government has also refused to cooperate with the Inter-American Human Rights Commission. In 1978 and 1980, the Government allowed visits by direct contact missions from the International Labor Organization (ILO) to check on alleged abuses of trade union rights, particularly freedom of association. While the cases remain pending, ILO reports specifically noted the cooperation of the Chilean Government in the investigations.

In the years following the 1973 change of government, the Intergovernmental Committee for Migration was active in Chile, conducting a program giving convicted political prisoners an opportunity to serve out their sentences through exile in lieu of prison. The Chilean Government cooperated in making this program possible. Including those departing for economic reasons and with family members, the Committee moved some 20,000 people out of Chile, the vast majority in the years immediately after 1973.

Amnesty International, the Lawyers' Committee for International Human Rights, and other non-governmental organizations have expressed special concern over Chile. Although the Government contends that virtually all of the reports produced by these foreign organizations exaggerate or deliberately distort the scope and volume of abuses, it has permitted visits by their representatives. The International Committee of the Red Cross (ICRC) also regularly visits Chile. Freedom House, in its 1982 report, regards Chile as "partly free".

The Catholic Church has taken the lead in defending human rights and supplying legal counsel to those accused of politically-related crimes and to alleged victims of human rights abuses. The Church's human rights group, the Vicariate of Solidarity, monitors the human rights situation from Church offices spread throughout Chile and issues monthly reports. The Vicariate has been effective in protecting and defending significant numbers of people over the years. Its activities have resulted in visible tensions between the Government and the Church, and disagreement with the Church position by more conservative Catholics. Some Church activists and human rights lawyers have during 1982 been anonymously threatened.

The Chilean Commission for Human Rights, a private organization now four years old, has also publicized alleged abuses and spoken out strongly against them, as well as issuing monthly reports on the human rights situation in Chile. It and the other human rights groups operate openly, albeit cautiously, in Chile. Some members have experienced harassment in the form of arrests and searches. In August 1981 the Commission's President, Jaime Castillo, was forced into exile and has not been permitted to return.

A group of eight alleged members of the proscribed Christian Left political organization, sentenced to 541 days of exile in August, included two Human Rights Commission officials. However, in December the Supreme Court reversed the lower court decisions, annulled the sentences of exile and placed the eight on probation.

4. Economic, Social, and Cultural Situation.

Government intervention in the Chilean economy reached a peak during the Allende years (1971-1973) with disastrous economic results. The present Government has introduced free market-oriented economic policies and has taken steps in the direction of reducing the role of the state in the economy. Major economic policy changes implemented by the present Government have included: opening the economy to foreign competition, selling hundreds of nationalized companies to the private sector, and requiring those under state control to operate without subsidies. It has ended price controls and many cumbersome government regulations, reduced the government payroll, and eliminated excessive fiscal deficits. The tax system has been overhauled, capital restrictions liberalized, and discriminatory treatment of foreign investment largely eliminated.

From 1976 until late 1981, under the free-market oriented policies, the Chilean economy achieved rapid rates of growth in the gross national product, steady progress in reducing the traditional problem of inflation, which declined to zero by mid-1981, and significant progress in creating jobs. Per capita GNP reached $2,160 in 1980. By mid-1981, however, Chile's open economy was severely buffeted by adverse international economic conditions . Export earnings (particularly copper receipts) fell by more than 20 percent and financing requirements on the country's large foreign debt rose in the face of unprecedentedly high interest rates. Economic activity which had begun to slip in the latter part of 1981, declined precipitously through mid-1982 and unemployment rose to over 23 percent at mid-year.

In an effort to alleviate the burden of the economic decline, the Government increased spending on social programs such as unemployment compensation. It has also expanded a minimum employment program, established a modest subsidy for private enterprises to hire new workers, intensified low-income housing programs and initiated a nationwide public works program. In mid-1982, the Chilean Government announced new housing programs to stimulate employment and address the housing problems of the poor. While limited by the economic capability of the country, these programs are aimed at lower income groups and should help alleviate, to cushion to some degree, the severe impact of the economic recession.

For many years, Chile has had one of the more extensive social service networks in Latin America. The present Government has made efforts to improve this network by devoting the major portion of its budget (59 percent in mid-1982) to social expenditures. These have reached the highest level in Chilean history, measured either in absolute or per capita real terms. At the same time the Government has attempted to make its social programs more effective by focusing its efforts on the poorest sectors of the population and it has declared the elimination of "extreme poverty" to be a primary socio-economic objective. Estimates of Chileans living under conditions of "extreme poverty" range from 14 to 23 percent of the population.

Health and nutrition programs have led to reductions in the incidence of malnutrition in the infantile population (some one million children under six years of age) from 15.4 percent in 1975 to 11.56 in 1980. There have been steady declines in infant mortality from 71.1 per thousand live births in 1972 to a rate of 27.2 in 1981. Average life expectancy at birth has increased from 64 years to 67.1 years over the same period. In 1977 the ratio of calorie supply for Chileans relative to nutritional requirements was 109 percent. Eighty-four percent of the population had access to a safe water supply in 1979.

The Government has increased funding at all levels of education, particularly for pre-primary, primary, and intermediate levels. The primary school enrollment ratio was 119 percent in 1979 (i.e. enrollment in primary education exceeds the primary school age population by 19 percent). The adult literacy rate is high and rose from 88.1 percent in 1970 to 94.2 percent in 1980. In that year, a special adult literacy campaign was initiated in order to further increase the literacy rate.

Although school attendance is intended to be compulsory through the eighth grade, the 4.33 average number of years of school attendance for the total population is low. Government programs attempt to improve this average by linking special family welfare payments for the children of the poor to school attendance. School feeding programs are also viewed as a means of encouraging school attendance among the poor.

Vestiges of legal distinctions between the sexes remain in Chile. For example, the legal retirement age for women remains five years lower than that for men. Nonetheless, traditional attitudes toward the role of women in society have been changing gradually over the years and have contributed to the removal of some constraints on a woman's access to education and employment. Women now constitute roughly 30 percent of the labor force and 39 percent of the university student population. Middle and upper class women generally have good access to entry-level professional jobs but women do not occupy a proportional share of upper level decision-making positions.

Similarly, there is no legal discrimination against minority groups. The distinction of Chile's Mapuche Indians as a minority depends more on economic status which is influenced by educational, cultural and residential factors rather than official policy. In fact, official, non-discriminatory policy toward the Mapuches, which entails granting individual family land titles rather than maintain reservation status, has been criticized for not recognizing cultural differences.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: CHILE

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	10.2	12.0	6.7
LOANS..............	0.0	0.1	0.0
GRANTS.............	10.2	11.9	6.7
A.AID	0.1	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.1	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	5.0	7.7	2.3
LOANS..............	0.0	0.0	0.0
GRANTS.............	5.0	7.7	2.3
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	5.0	7.7	2.3
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	5.0	7.7	2.3
C.OTHER ECON. ASSIST...	5.1	4.3	4.4
LOANS..............	0.0	0.1	0.0
GRANTS.............	5.1	4.2	4.4
PEACE CORPS......	1.5	1.9	1.2
NARCOTICS........	0.0	0.0	0.0
OTHER............	3.6	2.3	3.2
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	10.2	12.0	6.7
LOANS..............	0.0	0.1	0.0
GRANTS.............	10.2	11.9	6.7
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	79.8	224.1	192.2	1404.8
IBRD	74.0	42.0	0.0	442.1
IFC	0.0	0.0	10.2	24.5
IDA	0.0	0.0	0.0	22.9
IDB	0.0	180.9	182.0	848.5
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	5.8	0.9	0.0	59.1
OTHER-UN	0.0	0.3	0.0	7.7
EEC	0.0	0.0	0.0	0.0

COLOMBIA

Colombia enjoys a strong, functioning multiparty democracy. The country has been ruled by freely elected Governments for all but five years (1953-57) of the present century. Its politics have been dominated by two political parties, the Liberal and Conservative, since the mid-19th century. Colombia's constitution provides for a popularly elected president and congress and an independent judiciary. The Constitution also provides that the President's party must give the second principal party "adequate and equitable" representation in the Government. Other minority parties exist and are legal in Colombia, but none has attracted widespread popular support in recent years. The 1982 congressional and presidential elections produced the largest voter turnout in years.

Civil and political liberties are guaranteed by the Constitution. However, prior to its abrogation this year, a constitutionally authorized state of siege, which permitted the curtailment of some civil and political freedoms, had been imposed in varying degrees for the last 30 years because of insurgency problems. Activities undertaken during the state of seige, particularly by the armed forces, have been widely criticized by international human rights organizations.

As part of a continuing effort to bring about understanding among all Colombians, former President Julio Cesar Turbay Ayala (1978-82) established a Peace Commission to examine ways to reintegrate into society those engaged in armed rebellion. Amnesty (or pardon) for the guerrillas was a main issue for the Commission to explore. As a result of preliminary suggestions by the Commission, on February 19, 1982, President Turbay issued a new decree offering a pardon to those still engaged in rebellion, provided they had not committed crimes of homicide (outside of combat), kidnapping, extortion, or prison escape. The decree also provided that the subversives who were detained could be released, "providing a majority of the members of the same criminal organization have laid down their weapons." (A second decree offered economic assistance to those seeking to reintegrate themselves into legitimate society.)

Many believed that the President's decree did not go far enough and questioned what constituted a "majority ..... of the same criminal organization." The chairman of the Peace Commission, former President Carlos Lleras Restrepo, and several of its members resigned as a result of a disagreement over what further recommendations would be acceptable. The subversive groups' leaders flatly rejected the President's offer, although some individual followers took advantage of it. The leftist April 19th Movement, "M-19," threatened to disrupt the national elections. Nonetheless, there was an exceptionally high voter turnout for the congressional and especially the presidential contest. With less than two months of his administration remaining, President Turbay lifted the state of siege on June 20, 1982. Turbay also abolished the 1978 security statute, thus enabling civilian courts to assume jurisdiction in cases involving charges of rebellion or of committing subversive acts.

In December 1981, an organization known as MAS (Muerte A Secuestradores - Death to Kidnappers) appeared. According to Ministry of Defense figures, there were at least 100 kidnappings for ransom in Colombia in 1981. MAS, allegedly formed by a group of drug traffickers, publicly announced that it would execute kidnappers, even those in the hands of government authorities. In fact, the kidnapper who brutally murdered a small girl was killed in prison. Although MAS' initial objective was the release of the daughter of a wealthy rancher, its activities soon expanded beyond targeting kidnappers. MAS has been most active in Medellin and Bogota. Throughout 1982, groups using its name have killed, threatened, or captured and turned over to military or police authorities labor leaders, lawyers, professors, and journalists with alleged Marxist beliefs or who have connections with guerrillas and known subversives. Colombian leaders have condemned MAS activities, and some have charged that MAS has connections with lower-level elements of the police and military. Amnesty International has alleged that MAS is linked to the army's intelligence division. President Betancur has ordered a full investigation of MAS.

Following his inauguration, President Betancur indicated his support for a broader amnesty for subversives, reconstituted the Peace Commission, and encouraged direct contact with insurgent groups in the search for peace. The Colombian congress approved a new amnesty in early November. The bill provides amnesty for political crimes, defined as such in the Colombian penal code. Homicides, not committed in battle, will not be considered within the amnesty if brutally committed or if the victim was defenseless. The Colombian courts will be the final arbitrators in disputed cases. Betancur signed the amnesty on November 19, to take effect the following day.

Colombian guerrilla groups had expressed varying degrees of interest in the amnesty proposal, and one, the M-19, even made preliminary overtures toward forming a legal political party. However, while some individual lower-level insurgents have accepted the November 20 amnesty, guerrilla leaders for the most part have rejected it. These leaders state that while they will not surrender their arms, they will lay them down if the Government declares a truce, demilitarizes certain areas, and begins a national dialogue on socio-economic issues. Although rejecting demilitarization, President Betancur responded to the guerrilla proposal by noting that the Government had already freed those guerrilla prisoners eligible for release under the new amnesty (approximately 343) and that he had been proposing a national dialogue through the Peace Commission since his inauguration.

Since 1980, Colombian economic growth has lagged well behind the high rates of expansion achieved during the 1970's, inflation has persisted in the 25-30 percent range, and unemployment hovers around nine percent. More worrisome, fiscal deficits and the balance of payments have become increasingly adverse. On the positive side, Colombia has ample foreign reserves and one of Latin America's lowest per capita debt ratios. The economy's long-term prospects are quite good, especially in the critical energy sector. Colombia will become self-sufficient in petroleum in the mid-1980's and will produce an exportable energy surplus through the end of the decade. The key economic priority of the Betancur administration is to reactivate the economy while stabilizing or lowering inflation. Betancur's action plan has centered on fiscal and financial reform, increased domestic protectionism, revival of the agricultural sector, and the promise of massive low-cost housing. To date, the program has generated a significant rise in aspirations, but actual progress is not expected until 1983 at the earliest.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

The Permanent Committee for the Defense of Human Rights, a local human rights organization, listed 267 murders during 1981 that it attributed to official repression, the great majority of which occurred in rural areas in which the military is fighting guerrilla groups and where confirmation of reports is often difficult. During the same period, the national police reported that 154 of its officers and men had been killed in action against common criminals and subversives and 987 had been wounded. The police killed 175 members of various guerrilla groups and 141 common criminals. For the same period, the Ministry of Defense reported 200 members of the armed forces had been killed in action against guerrillas, and 278 guerrillas lost their lives in confrontations with the military. In 1982, more than 50 peasants are alleged to have been assassinated by the Revolutionary Armed Forces of Colombia, the country's largest and most threatening guerrilla group. At least 20 common criminals were found dead in Cali, in a mass execution carried out by a death squad called "The Cobras." MAS alledgedly has killed at least half a dozen persons. In retaliation for MAS' alleged murder of an M-19 defense lawyer, the leftist National Liberation Army and the M-19 claimed responsibility for the killing of the Secretary of Education of the Santander Department. The National Liberation Army also allegedly killed a Bucaramanga councilman and a Medellin high school biology teacher during 1982. At the end of 1981, four ex-policemen were found guilty of killing three people and wounding others in a district of Medellin known for drug trafficking. At his inauguration, President Betancur said he did not want more Colombian blood spilled and since then has promised an investigation of MAS and a suppression of common crime.

b. Disappearance

In 1981 the Permanent Committee for the Defense of Human Rights alleged approximately 100 disappearances, the majority in rural areas. The Government reported 100 kidnappings in 1981, 63 committed by terrorist groups and 37 by common criminals. The Revolutionary Armed Forces of Colombia kidnapped 29 persons, the M-19 24, the People's Liberation Army nine, and the Workers' Self Defense Movement one. The Ministry of Defense indicated that a total of about $857,000 was paid in ransom to terrorist groups for 19 of the kidnap victims.

With a few exceptions, the information available at year-end on alleged disappearances in 1982 is too disparate and inconsistent for inclusion at this time. The most noteworthy exceptions involve the disappearances and subsequent assassinations of the Director of Colombia's Office of Community Development and Integration, Mrs. Gloria Lara de Echeverri, and three children from the Alvarez family. Because of the involvement of a highly respected female official and three small children, both cases generated heavy press coverage and widespread popular indignation. Mrs. de Echeverri was kidnapped in June and assassinated in November by a small left-wing group called the Popular Revolutionary Organization, whose principal goal was fund raising. Some of those involved have been arrested and have confessed. The three Alvarez children, ages 5, 6, and 7, were kidnapped in 1981 and found shot to death last September. Police officials and the father of the slain children have alleged guerrilla responsibility. The single suspect now in custody has reportedly provided evidence substantiating guerrilla involvement.

c. Torture

The Constitution states that public officials may be held responsible for abuses of authority and for acts of omission in the exercise of their authority. Torture is forbidden by law and is contrary to custom. However, the human rights report of the Inter-American Human Rights Commission, which was released in August 1981, indicated that there have been cases of torture and recommended that the Government act more swiftly to investigate and punish those responsible. The Permanent Committee for the Defense of Human Rights listed 451 cases of torture in 1981, again mostly in rural militarized areas. The Government promised to investigate the allegations.

In the Echeverri assassination, the suspects, who had confessed, later recanted claiming they had been tortured. The Office of the Attorney General investigated the allegations and reported that, while force had been used in making the arrests, there was no evidence of torture.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The Colombian Council of State, the organization ultimately responsible for adjudicating administrative claims, has awarded indemnities for wrongful death at the hands of government forces found guilty of committing abuses of authority. In a recent case, the council ordered the Ministry of Defense to pay $228,833 to a person abused by military personnel in Medellin.

In July 1982, prisoners at Bellavista Prison in Medellin rioted and at least 13 were seriously wounded. The prison's normal capacity is 1,500 and there were 3,143 under detention. In most prisons, inmates are fed a typical Colombian diet but can supplement it with purchases from prison stores. Prisoners with financial resources live better than those without. Family members and friends are normally allowed to visit regularly and to bring food and clothes. Most prisoners accused of security-related crimes have been incarcerated in regular prisons, although segregated from common criminals. Prior to the ending of the state of siege in June, such prisoners were consolidated in military installations where conditions are at least equal to regular prisons.

e. Arbitrary Arrest and Imprisonment

Colombia's Constitution provides for habeas corpus (access to a lawyer or judge) within 72 hours of arrest in most cases. However, habeas corpus does not apply to persons detained under Article 28 (relating to disturbance of public order) during the first ten days of detention. Thus, in practice, prisoners are sometimes held incommunicado during the first 72 hours, and in the case of Article 28, for longer periods of time.

The Permanent Committee for the Defense of Human Rights tabulated 2,203 political arrests in 1981. Amnesty International states that either shortly before lifting of the state of siege or in the period thereafter, several hundred persons were given their freedom.

f. Denial of Fair Public Trial

The right of public trial and of due process are guaranteed by the Constitution and generally honored in civilian trials. Prisoners may be represented by attorneys of their choice and, if they have none, the court will appoint one. Court proceedings are closed until the investigation of the circumstances is completed and an indictment handed down. In military proceedings, prisoners did not always enjoy the same protection. Owing to an overburdened judicial system, many persons indicted for common crimes never come to trial, but are simply released after serving the minimum sentence applicable to the crime in question. Technically, this could represent a denial of trial. There were 28,680 prisoners in jail at the end of 1981, but only 7,573 had been formally tried. With the lifting of the state of siege and abolition of the security statute on June 20, 1982, all security-related cases are now tried in civilian courts. The armed forces turned over to civilian courts 6,382 cases and 1,227 persons detained under the security statute. To clear the backlog of cases, the Ministry of Justice is considering declaring another "judicial emergency," which would empower it to hire additional judges on a temporary basis. At the same time, the Ministry is considering longer-term plans to streamline the court system and revise the penal code.

g. Invasion of the Home

The Constitution requires a court order before authorities can enter a private home, except in the case of "hot pursuit" of a person seen committing a crime. While some human rights organizations allege widespread violations in some remote areas of the country, where the military is predominant, the concept is widely respected in practice.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These constitutionally-guaranteed rights have been generally respected and the press often vigorously criticizes the Government and its leaders. The print media are under no government restraints. Daily and weekly newpapers and magazines print a wide variety of political views.

Radio and TV broadcasters have been requested occasionally not to broadcast on-going events such as airline hijackings or terrorist actions. Television channels are controlled by the state, which leases time to private companies. The Government does not permit private news programs to broadcast interviews which last longer than ten minutes; during political campaigns, news programs cannot broadcast the voice of a candidate, whose campaign rally is being filmed. There are no such restrictions on "talk shows."

b. Freedom of Peaceful Assembly and Association

Public meetings, marches, and demonstrations are normally and frequently held without interference, although the Government can prohibit public assembly when it anticipates violence. Generally, prior permission is required for large demonstrations, but it is almost always granted.

Colombian workers freely exercise the right to form unions and, in the private sector, to bargain collectively and strike. There are four labor confederations (including one associated with the Communist Party) and an estimated 7,000 unions. Among the four, the Confederation of Colombian Workers and the Union of Colombian Workers are affiliated with the International Confederation of Free Trade Unions. The remaining two, the Trade Union Confederation of Colombia and the General Confederation of Labor, are affiliated with the World Federation of Trade Unions and the World Confederation of Labor respectively. Approximately 12-13 percent of the total work force is unionized. The labor code is administered impartially regardless of the ideology of the union. Trade union leaders participate fully in the electoral process and are often members of the National Congress and Municipal Assemblies.

In the public sector, "public employees" do not have the legal right to negotiate or strike, while "official employees" may negotiate, but not strike. "Official employees" work for autonomous, government entities, while "public employees" work for the ministries. In practice, however, both groups do negotiate and strike.

c. Freedom of Religion

The Colombian Constitution guarantees freedom of religion. Although an overwhelming majority of Colombians are Roman Catholics, there is no official discrimination against any religious group.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Any Colombian with a valid passport and proof that he has paid his taxes is free to leave the country without unusual restrictions. Colombian minors must have written permission from both parents to leave the country. Foreigners who are found guilty of misdemeanors are usually deported. International travel controls consist of airport and highway document checks and inspection for illegal arms. Foreign residents leaving the country must have an exit permit. In areas under military control, where operations against rural guerrilla groups are underway, the movement of civilians has been subjected to more severe restrictions.

Colombians who have sought and been granted asylum in foreign embassies have been allowed to depart. Expatriates are allowed by law to repatriate. Colombia is a member of the Inter-Governmental Committee for Migration and it has accepted refugees in the past. However, because of its own high unemployment and subemployment, the Government is now reluctant to accept further refugees.

e. Freedom to Participate in the Political Process

Colombia has a strong democratic system of government and elections are generally honest. Freedom House classifies Colombia as "free." The authorities respect the constitutional right of persons over 18 years of age to vote. Persons convicted of certain crimes may be disenfranchised. Public employees are forbidden by law to participate in political campaigns but, with the exception of military personnel, can vote. National elections are held every four years and local elections every two years.

Colombian politics are dominated by the country's two major parties, the Liberal and the Conservative. The current Chief Executive is a member of the Conservative Party. The major political parties encompass sectors with widely divergent political views. Opposition parties function freely, are able to raise funds, field candidates, hold public meetings, and have access to the media; some groups publish their own newpapers. During the March 14, 1982 congressional elections, 5.5 million Colombians voted, or almost 40 percent of the officially registered 13.7 million voters. That number was considerably higher than the 33.4 percent who cast ballots in the 1978 congressional elections. The almost seven million turnout for the May 30, 1982 presidential election represented approximately 60 percent of eligible voters, the heaviest voter turnout in recent history.

Since his election, President Betancur has invited all sectors of Colombian society to consult with him on the public order problem and its underlying social causes. His newly re-established Peace Commission consists of approximately 40 members from all walks of life, who will advise him on the process of reintegrating into legitimate society those engaged in rebellion. When, on November 19, the President signed into law the new amnesty bill, he also announced a program to rehabilitate guerrillas who accepted the amnesty.

As more Colombian women graduate from universities and participate in the work force, they are increasingly active at all levels of society. They serve as legislators, judges, departmental governors, party leaders, government officials, and diplomats. Under the current administration, ten vice ministers are women, as are several presidential advisers.

Colombian Indians enjoy all rights and privileges of full citizenship, including the right to vote. Notwithstanding their constitutional rights, Colombian Indians have suffered abuses at the hands of local landowners, cattlemen, and prospectors who seek to expand their own fortunes at the expense of the Indians. The Government, working through two public institutions to enhance the welfare and protection of Indians, has curtailed the worst of such abuses and is now seeking to promote improved local relations through community action, public education, and legal aid.

f. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Colombian Government has actively participated in international and regional human rights bodies. Colombia was one of the first nations to ratify the American Convention on Human Rights. It has invited both Amnesty International and the Inter-American Human Rights Commission to visit Colombia on human rights matters. A Colombian judge was elected President of the latter organization in June 1982. Americas Watch made a visit to Colombia in September 1982 and issued a report the following month.

The Permanent Committee for the Defense of Human Rights is the most active national organization monitoring the local human rights situation. Statistics prepared by this committee on the situation before the state of siege was lifted have been extensively used by international organizations such as Amnesty International, Americas Watch, and the Washington Office on Latin America. Colombian human rights organizations follow trials of those accused of rebellion, investigate reports of human rights violations, provide defense lawyers and publish newletters. Periodic human rights forums are also held.

A number of Colombian human rights organizations have severely criticized Colombian military and paramilitary organizations for participating in "official repression." Thus, the Colombian Permanent Committee for the Defense of Human Rights has prepared extensive lists, drawn in large part from local press reports, of individuals who are alleged to have disappeared or have died at the hands of paramilitary groups. The Jesuit-sponsored Center for Investigation and Popular Education, together with the Permanent Committee and the Committee for Solidarity with Political Prisoners, has also published a document listing deaths and disappearances between 1979 and 1981 in the Department of Caqueta, a center of rural insurgent activity. This latter publication included personal testimonies by individuals who state that they witnessed deaths or tortures in that Department. The Americas Watch, basing its finding on the publications of the Colombian Permanent Committee for the Defense of Human Rights and the Center for Investigation and Popular Education, concludes that there exists "pervasive oppression" in militarized zones such as the Department of Caqueta.

Colombian officials have shared the concerns of the local human rights groups regarding such alleged violations, and they have been responsive to requests by international groups to investigate reported violations of human rights. President Betancur, the Colombian Attorney General (elected by congress from a list of prominent members of the opposition party), and high military officials have publicly stressed their intention to expose and to end paramilitary violence. Many of these reported violations of human rights, however, have been attributed to shadowy organizations such as the MAS, or have occurred in remote and isolated areas (such as the Department of Caqueta), where it is often difficult to determine with certainty the circumstances surrounding the alleged violations. Some of the crimes attributed to the military are believed to have been perpetrated by leftist insurgent groups in an effort to terrorize the local population or as retribution for having informed on the insurgents. One well-publicized example of executions by leftist groups was the murder of two alleged military informers, perpetrated in Caqueta in late 1981 by M-19 guerrillas in the presence of journalists and photographers.

In reviewing the overall Colombian human rights situation, the Inter-American Commission on Human Rights has concluded that while there have been cases of torture and of illegal search and detention, these do not reflect official Colombian

Government policy. Moreover, the Inter-American Commission in its latest report (November 1982) lauds Colombia for notable advances in the protection and promotion of human rights over the last twelve months and for the efforts of the Government - including the lifting of the state of siege and promulgation of an amnesty for insurgents - in response to the recommendations made by the Inter-American Commission.

4. Economic, Social, and Cultural Situation

The economic slowdown which began in 1980 continues to hinder efforts to improve real living standards of the majority of the population. It is unlikely that the real GDP growth rate for 1982 exceeded 1981's disappointing 2.5 percent. Inflation probably dipped slightly in 1982 from the 26 percent increase registered in 1981, in part due to reduced consumer demand and continued pursuit of tight, anti-inflationary monetary and credit policies. Official government data shows unemployment rising from seven percent in December 1981 to nine percent in June 1982. Underemployment is between 14 and 16 percent. Omitted from any official labor statistics are an estimated 2.5 million children under age 15 who work for low pay under poor conditions and with little protection from the Colombian labor code. While increases in minimum wages have kept pace with increases in the cost of living in recent years, workers have not recuperated from losses experienced in 1968-75 and a large percentage of workers do not earn the minimum wage.

Per capita GNP in 1980 was $1,184, but this conceals substantial inequality in the distribution of the nation's income and wealth. According to a 1979 World Bank report, the wealthiest four percent of Colombia's 27 million population received 28 percent of the national income, while the poorest 40 percent got only 10 percent. Colombia has a highly progressive income tax, but tax evasion is widespread and direct taxation is declining as a proportion of government revenue. In December 1982, the Betancur administration decreed a 50-day tax amnesty period in which previously unreported assets could be declared with no questions asked. Land tenure also shows distortions: The top 10 percent of the landowners hold 80 percent of the land, while the bottom 10 percent own only 0.2 percent. Significant regional inequalities also exist, with the best economic opportunities, health care facilities, and education available in the largest cities. This has contributed to the problem of heavy, though decreasing, migration from the countryside to urban areas. A notable exception to income maldistribution is in Colombia's important coffee growing regions, where farms have traditionally been small to medium-sized.

Colombia has made progress in recent years in social services. According to 1975 World Bank statistics, 64 percent of the population has access to safe water -- a significant improvement over 1964, when only 30 percent had such access. There is a severe teacher shortage, particularly in the countryside where educational facilities are substandard. While primary school enrollment has increased, the adjusted enrollment ratio of 128 percent in 1979 is misleading because of low retention rates; the figure is partially explained by frequent repetition and the presence of adolescents and adults in the primary grades. The adult literacy rate was estimated at 81 percent in 1973, a significant improvement over the 63 percent registered in 1963. Colombia's infant mortality rate was 56 per 1,000 live births in 1980 which, while still high, is a marked improvement over the 1978 figure of 65. Life expectancy at birth was 63 years in 1980. Colombia's population growth rate was 2.1 percent in 1980, indicating that family planning programs have been quite successful. Regional differences in population growth are substantial. While the ratio of calorie supply available for consumption relative to nutritional requirements in 1977 was a satisfactory 102 percent, it does not tell the whole story. Per capita consumption of important commodities such as meat, eggs, and milk declined between 1948 and 1978. Malnutrition is a leading cause of death among children under 5 years.

The Betancur administration has given improved social services a high priority. The country's housing deficit, estimated at 800,000 units, is growing at an annual rate of 5.3 percent. The Betancur Government has promised to provide 500,000 low-cost units between 1982-86. Education will also be a top priority of the Betancur administration, which plans to concentrate on rural adult literacy and vocational training. The Government will offer additional opportunities at the university level through extension courses. The 1982 budget for the social sector ministries (Labor, Government, Health, and Education) accounted for approximately 28 percent of the total government budget.

The economic situation of women, though improving, is inferior. Women have equal civil and property rights. They comprise just over 25 percent of the economically active population, but are concentrated in low-productivity and low-income sectors. Historically, the unemployment rate for women has been higher than for men, but this difference has decreased in recent years. Although Colombian women are legally entitled to pay equal to that of their male counterparts and are normally paid equal salaries when employed by the Government, in private industry they are almost always paid less than men for the same work. An increasing number of females are receiving higher education, and women currently comprise 40 percent of the university population. President Betancur has appointed a record number of women to high government positions.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: COLOMBIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	23.1	5.6	3.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	23.1	5.6	3.0
A.AID	0.3	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.3	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	4.6	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	4.6	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	4.6	0.0	0.0
E.RELIEF.EC.DEV & WFP.	4.6	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	18.2	5.6	3.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	18.2	5.6	3.0
PEACE CORPS......	2.0	1.3	0.0
NARCOTICS........	16.0	3.6	2.7
OTHER............	0.2	0.7	0.3
II.MIL. ASSIST.-TOTAL...	0.3	0.3	10.5
LOANS..............	0.0	0.0	10.0
GRANTS.............	0.3	0.3	0.5
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	10.0
C.INTL MIL.ED.TRNG....	0.3	0.3	0.5
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	23.4	5.9	13.5
LOANS..............	0.0	0.0	10.0
GRANTS.............	23.4	5.9	3.5
OTHER US LOANS..........	24.1	45.1	540.3
EX-IM BANK LOANS.......	24.1	45.1	540.3
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	727.4	830.7	527.0	5389.2
IBRD	518.0	550.0	306.3	3553.2
IFC	0.3	34.3	14.6	94.5
IDA	0.0	0.0	0.0	23.5
IDB	201.0	244.6	206.1	1640.5
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	1.0	1.3	0.0	55.3
OTHER-UN	7.1	0.0	0.0	22.2
EEC	0.0	0.0	0.0	0.0

COSTA RICA

Costa Rica is a constitutional democracy. The Government is divided into three independent branches: executive, legislative, and judicial. There is a quasi fourth branch, the Supreme Electoral Tribunal, which operates independently, maintaining vital statistics and administering elections. The executive branch of the Government is headed by an elected president who is constitutionally prohibited from succeeding himself. There are two elected vice presidents.

Costa Rica held elections on February 7, 1982; 78.6 percent of the eligible electorate voted. There were six candidates for president, and five political parties or coalitions fielded full slates of candidates for the 57 seats in the Legislative Assembly in all seven provinces. Several smaller parties ran candidates in some provinces. Participating parties ranged from ultra-conservative to far left. The leader of the major opposition party won the presidential race and there was a peaceful transition of power with Luis Alberto Monge's inauguration on May 8. This continues a Costa Rican tradition of thirty years of free and democratic elections.

The most alarming threat to human rights in Costa Rica is terrorism. Political turmoil in other Central American countries has produced a sharp increase in terrorist activity in Costa Rica. Further, the country's longstanding policy of offering refuge to political dissidents of various persuasions has, in the highly charged atmosphere of political violence prevalent in much of Central America, made Costa Rica a battlefield for foreign extremists. In January 1982, an Iranian businessman's son was kidnapped by assailants widely believed to be Salvadoran terrorists. That same month there was an attempted kidnapping of a Salvadoran businessman by Salvadoran terrorists trained in Nicaragua. In February, terrorists made an attempt on the life of a Nicaraguan exile leader and wounded his son. In March, police arrested a group of eight persons of various nationalities on charges of smuggling arms to Salvadoran guerrillas. In July, three Nicaraguan diplomats were declared persona non grata for their role in bombing the Honduran airlines office in San Jose. Later in the year, a Salvadoran diplomat was declared persona non grata for an alleged bombing attempt on the life of a foreign resident whom he apparently suspected of involvement in arms traffic to Salvadoran guerrillas. An Argentine citizen was kidnapped by presumed leftist extremists in October. Costa Rican police have discovered several arms caches belonging to extremist groups of one political coloration or the other. There is also a small but dangerous Costa Rican extreme left terrorist organization which works with the foreign terrorist groups.

Costa Rica has a mixed economic system with emphasis on free enterprise capitalism. At present there are severe strains on the Costa Rican economy. Indeed, the nation was brought to the brink of bankruptcy under the Carazo Administration (1978-1982). In September the Monge Administration initialed a draft letter of intent with the International Monetary Fund. The economic program outlined in the letter of intent will put Costa Rica on the road to getting its economic house in order and will open the door to U.S. and other external aid. However, for the first time in many years, Costa Rica is experiencing significant unemployment and under-employment, as well as hyperinflation. Solutions will not come quickly, and domestic and foreign extremists are demonstrating their intention to take advantage of deteriorating economic conditions.

Costa Rica remains one of the world's most committed nations to protecting human rights and has an excellent record in this regard. In spite of the political turmoil in neighboring Central American countries, and the increasing threat of terrorist activities within the country, there are no political prisoners in Costa Rica and all residents of the country -- citizens, refugees, and terrorists -- receive fair and equitable treatment under law.

The Costa Rican Constitution forbids the establishment of a standing army, and there is virtually universal support for this provision. The Public Security Forces, the Civil Guard and the Rural Guard are charged with maintaining public order and policing borders. During a national emergency, these would form the core of a National Civil Defense Force. The present Government, backed by a popular consensus, has begun a modest upgrading of the training and equipment of these forces within severe budgetary constraints.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Neither the Government nor major Costa Rican political organizations have used killing as a political weapon. A Salvadoran diplomat allegedly made a bombing attempt on the life of a foreign resident for apparently political reasons. Costa Rican authorities thoroughly investigated this attempted homicide, and those responsible have been identified. The diplomat, upon his recall by the Salvadoran Government to face criminal charges in another case, fled to a third country, but legal proceedings have been instituted against his accomplice. Earlier in the year unidentified terrorists made an attempt on the life of a Nicaraguan exile leader. No suspects have been arrested in that case.

b. Disappearance

There have been no known abductions, secret arrests, or persons held clandestinely by an agency of the Costa Rican Government. An Iranian citizen, Kevah Yazdani, was kidnapped in January 1982 and is apparently still being held for ransom. His abductors are widely believed to be Salvadoran terrorists. Assailants who kidnapped an Argentine citizen in October have not been identified, but press speculation is that they were Central American extreme leftists.

c. Torture

The Constitution specifically forbids torture. This is not only the law, but also the practice. As a result of allegations abroad that prisoners held on arms smuggling charges had been tortured, the Government conducted a thorough investigation. That inquiry, which was made public, concluded that two prisoners had been beaten by police attempting to subdue them at time of arrest when they were arrested in March, but medical reports showed no evidence of deliberate torture. To deter such conduct and to help insure that any such incidents that do occur are thoroughly reviewed, the Justice Ministry sought, and received, legislative approval for creating a special prosecutors' office empowered to investigate and prosecute human rights violations by representatives of any public institution.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution provides that, "No one shall be submitted to cruel or degrading treatment nor to life imprisonment. A statement obtained through violence shall have no value." The Government has made efforts to upgrade conditions in the prisons; overcrowding is not a problem. All prisoners are apparently treated both humanely and equally.

e. Arbitrary Arrest and Imprisonment

The Constitution requires that an arraignment take place within twenty-four hours of an arrest, and this is strictly enforced. The right of habeas corpus is guaranteed. The law is upheld in both spirit and practice.

f. Denial of Fair Public Trial

Accused persons may select their own attorneys; access to counsel is guaranteed. Free public counsel is provided for defendants without means. The judiciary maintains its independence through a constitutional mechanism that provides funding at a fixed percentage of the national budget. There are only civilian courts, which provide first instance and appellate procedures. There is also a court which accepts appeals from administrative decisions of the Executive Branch. Courts are sometimes slow in processing criminal cases, but a recent United Nations study by The Latin American Institute For the Prevention of Crime and the Treatment of Offenders showed Costa Rica has the lowest percentage of detainees awaiting trial of 18 Latin American countries surveyed.

g. Invasion of the Home

Court-ordered search and seizure warrants are required for any form of invasion of privacy of private residences, and the procedure is observed.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Constitution specifically guarantees freedom of speech and press. There are three major daily newspapers, and each presents its own independent views. There appear to be no limitations, governmental or self-imposed, upon the press. There are three privately-owned television stations and numerous radio stations which pursue independent editorial policies. The media freely air differences with the Government. There is no evidence of either collusion or repression. Terrorist activities receive full coverage and editorial excoriation. Scholars are also free to teach and publish divergent views. Costa Rica has a tradition of rule by consensus, and free discussion is actively encouraged as a means of arriving at such consensus. Although a 1973 law is designed to control the importation and production of pornographic materials, in practice materials generally available to the US public are available in Costa Rica.

b. Freedom of Peaceful Assembly and Association

No legal or social impediments to freedom of assembly or association exist. These rights are enumerated in the Constitution. The rights of labor unions are constitutionally guaranteed. Unions may organize and bargain; they can and do strike. About 14 percent of the labor force is organized. Unions are active in the political arena, and despite their small membership have an influence on national policy. Numerous prominent political leaders, including the President, have labor backgrounds. There are some unions which are identified as "company unions," but none labeled "government." There are extensive laws protecting laborers, and social security and public health laws to safeguard the elderly, the injured, and the disabled. There are laws protecting children and women from abusive labor treatment and specific guarantees for workers regarding vacation and sick leave, pension rights, and separation pay. Virtually all worker rights are protected by law. Professional groups also have the right to unionize and bargain collectively. Costa Rica is a member of the International Labor Organization.

c. Freedom of Religion

Although Roman Catholicism is the religion of the state, freedom of religion is guaranteed in the Constitution and exists in practice.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There are no impediments to travel within and without the country. People are free to live anywhere within the national boundaries. Costa Rica has accepted many thousands of refugees from Nicaragua, El Salvador, and other Central American countries as well as many Cubans and South Americans. Costa Rica has supported multinational refugee programs and has provided a sanctuary for as many refugees as its limited resources permit. The Constitution specifically forbids the government from repatriating any person who may be subject to political persecution in his own country. Citizenship through birth or naturalization is a carefully guarded right and cannot be lost except by abandonment. The Government accepts responsibility for repatriating its own citizens.

e. Freedom to Participate in the Political Process

Costa Rica is goverened by a president and a 57-member legislative assembly, the members of which were last elected in February 1982. The Constitution provides for a free, open, and competitive electoral system whose integrity is overseen by the independent Supreme Electoral Tribunal. Not only do guarantees for an open democratic process exist in law, they exist in practice. No political party is outlawed or excluded from the electoral process; no party has dominated the affairs of the nation, nor is any eligible voter deterred from participating in elections. Women and minority groups--principally black descendents of Jamaican settlers--are the political equals of other members of the electorate both in law and in fact. Four women, including one black, are currently serving as deputies in the Legislative Assembly, and women occupy prominent positions in both the executive branch and the judiciary. Costa Ricans pride themselves on their devotion to their democratic political system. Virtually all segments of the population view with hostility any effort by any group, internal or external, to interfere with the free electoral process.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Costa Rica is a strong advocate of human rights and vigorously supports international human rights organizations. The Government has extended a permanent invitation to the Inter-American Human Rights Commission to visit whenever it wishes. The Government has accepted the jurisdiction of the Inter-American Human Rights Court, which is based in San Jose, and was one of the-earliest ratifiers of the American Convention on Human Rights. It hosts the Inter-American Institute of Human Rights and enthusiastically supports its activities.

4. Economic, Social, and Cultural Situation

Costa Rica has for many years lived beyond its means. As a result, the external debt ($3.2 billion public sector and $650 million private sector) is staggering for a country of its size. In agreeing to an economic austerity to program with the IMF, Costa Rica agreed to reduce the public sector deficit, control credit and money supply, raise interest rates, devalue the colon (monetary unit), and maintain a flexible exchange rate system. The Government will next seek to reschedule its debts with commercial banks and bilateral donors.

The GNP per capita in 1980 was reported to be $1,728, but the figure does not reflect Costa Ricans' real buying power. The Costa Rican colon has been severely devalued (500 percent) in the last two years, and the debt structure and lack of external credit have produced a deep recession. There is, for the first time in many years, significant unemployment and underemployment as well as hyperinflation (100 percent plus). Current figures given by the Government indicate about 10 percent of the work force is unemployed: it was reported that approximately 12 percent of the work force is underemployed, working drastically reduced hours per week.

These conditions have been aggravated by the large influx of refugees from the region. The income tax system is progressive in principle, but the majority of government revenues come from trade and sales taxes which fall most heavily on lower income groups.

In general, Costa Rican society is cohesive and the country's institutions enjoy a high level of legitimacy. Costa Ricans are proud of their democratic traditions and the fact that they spend more on education than defense.

Costa Rica has attained an exceptionally high literacy rate, in excess of 90 percent. The Government has sought to assure low cost, readily accessible health care to its citizens. More than 80 percent of the population of approximately 2.3 million is covered by social security programs, and approximately 60 percent enjoy medical and retirement benefits. The successful health care delivery system (life expectancy is now 70 and infant mortality has fallen to 24.2 per 1000) and a moderately high birth rate of 2.5 percent will mean increasing demands on social service agencies. In times of fiscal restraint, these will be extremely difficult to meet.

Traditional attitudes which assign a primarily domestic role to women are prevalent, but attenuated, in Costa Rica. Women are increasingly attaining equal access to jobs at equal salaries in both private and public sectors.

The reported 1975 figure of 72 percent of the population with access to safe water is probably higher now. Based upon 1979 figures, primary school enrollment stood at 107 percent of those available to attend. (The excess over 100 percent is enrollment of students over the expected age of primary level students.) Costa Ricans are generally well fed. The ratio of calorie supply available for consumption relative to nutritional requirements was reported to be 114 percent in 1977. There are no Costa Ricans reported to be living below the absolute poverty level.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: COSTA RICA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	15.9	15.2	51.7
LOANS..............	12.0	10.0	42.7
GRANTS.............	3.9	5.2	9.0
A.AID	13.6	11.5	31.5
LOANS..............	12.0	10.0	24.7
GRANTS.............	1.6	1.5	6.8
(SEC.SUPP.ASSIST.)...	0.0	0.0	20.0
B.FOOD FOR PEACE.......	0.4	1.8	19.1
LOANS..............	0.0	0.0	18.0
GRANTS.............	0.4	1.8	1.1
TITLE I-TOTAL..........	0.0	0.0	18.0
REPAY. IN $-LOANS.....	0.0	0.0	18.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.4	1.8	1.1
E.RELIEF.EC.DEV & WFP.	0.4	0.2	0.2
VOL.RELIEF AGENCY.....	0.0	1.6	0.9
C.OTHER ECON. ASSIST...	1.9	1.9	1.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	1.9	1.9	1.1
PEACE CORPS......	1.4	1.7	1.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.5	0.2	0.1
II.MIL. ASSIST.-TOTAL...	0.0	0.0	2.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	2.1
A.MAP GRANTS..........	0.0	0.0	2.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.1
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	15.9	15.2	53.8
LOANS..............	12.0	10.0	42.7
GRANTS.............	3.9	5.2	11.1
OTHER US LOANS..........	6.4	5.1	3.0
EX-IM BANK LOANS.......	6.0	5.1	0.0
ALL OTHER..............	0.4	0.0	3.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	105.6	120.4	29.2	935.2
IBRD	30.0	29.0	0.0	380.9
IFC	0.0	0.0	0.0	5.2
IDA	0.0	0.0	0.0	5.5
IDB	74.5	91.3	29.2	532.3
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	1.0	0.1	0.0	11.2
OTHER-UN	0.1	0.0	0.0	3.1
EEC	0.0	0.0	0.0	0.0

CUBA

Cuba is a tightly controlled Marxist-Leninist state dominated by the Cuban Communist Party. Domestic and foreign policies are made by President Fidel Castro and a small elite within the Communist Party Political Bureau and Secretariat. A facade of participation in the political process has been erected by the party at the local level through a system of "popular" assemblies and mass organizations covering youth, women, workers, farmers and ubiquitous neighborhood "Committees for the Defense of the Revolution." In practice, however, the assemblies are permitted only to endorse prior decisions reached by the top party leadership. They have not expanded popular participation in the Government. The assemblies and mass organizations provide participation only within tightly controlled and officially approved bounds.

A major objective of the Cuban government since at least the mid-1970's has been institutionalization of the Marxist-Leninist system throughout all aspects of Cuban life. All pre-1959 political parties and organizations have disappeared or been restructured to fit within the mass organization network, thus ensuring individual subordination to and compliance with state policies. Opposition is not permitted and can result in punishment at the discretion of the Government. Freedom House in its 1982 report, noted that "hundreds of thousands are formally discriminated against as opponents of the system."

Under the 1976 Constitution, the Government may restrict any right or freedom when exercised in "opposition to the state." Communist Party rule has thus imposed total domination by the Party leadership over the individual in all spheres of activity -- cultural, economic, and political. No public dissent is allowed. The press and media are organs of the Party or the state. Freedom of speech does not exist.

The Cuban economy faces a period of prolonged belt-tightening, with the greatest effect likely to be felt by the average Cuban consumer. Although most Cubans have the basic necessities, the list of rationed food and consumer items is growing and shortages are common. Unemployment is growing, and Cuba's poor economic prospects are a major source of discontent and emigration pressure.

Emigration has been used traditionally as an "escape valve" to relieve domestic pressures. As a result of political and economic pressures, well over a million Cubans, more than 10% of the island's population, have fled their country in the past 24 years. An estimated 200,000 persons still in Cuba have already applied to emigrate, despite the severe sanctions applied by the Government against anyone asking to leave, and the number of those wishing to depart but fearful of the regime's punishment may be between one and two million.

Cuba has not shown itself open to moral suasion on human rights issues from international groups or foreign governments. Up to 1,000 political prisoners are still held in Cuban jails. Some Cubans who have become naturalized U.S. citizens and returned to Cuba have been seized and held incomunicado, and access by American consular officers is not permitted to such prisoners.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There were allegations in 1981 and 1982 that several people, reportedly convicted of political offenses, had been executed. In its 1982 report Amnesty International expressed concern that the death penalty countinued to be imposed for politically-motivated offenses.

b. Disappearance

There have been several recent disappearances of American citizens of Cuban origin during family visits in Cuba. The Cuban Government does not recognize the United States citizenship of these dual nationals. It provides no information on detentions, arrests or custody of such persons and refuses to permit consular access to them by the US Interests Section. Under public pressure, the Cuban Government has sometimes responded only that such an individual is under suspicion, has been charged with "subversive" activities, or is "working for a foreign power."

c. Torture

In spite of the fact that the Cuban Constitution proscribes torture and states that "the person who has been arrested or the prisoner is inviolable in his personal integrity," credible reports of physical and psychological torture in 1982 have been made by current and former political prisoners. Reported practices include prolonged maintenance of prisoners in the nude at low temperature and in complete darkness.

d.Cruel, Inhuman, or Degrading Treatment or Punishment

In 1971, the Cuban authorities implemented a plan to replace an earlier policy of compulsory political re-education, which included recantation of past opposition to the revolution. Under the current political re-education scheme, some prisoners work at prison facilities and receive monthly salaries for work performed satisfactorily. Those accepting the re-education regime are granted various rights and privileges, such as home visits, visits by family, and possibly early release, depending on their prison category.

In December 1982, a recently released long-time political prisoner, the poet Armando Valladares, told two sub-committees of the House Foreign Affairs Committee that repression of political prisoners is "ferocious." The Cuban police harassed his mother, Valladares reported, forcing her to send a letter denouncing him which was dictated by a Cuban secret policeman who had shown his sister an approved court order sending her to jail if her mother did not cooperate. Valladares described the imprisonment of children and stated that physical and psychological torture was common. He claimed one man was severly beaten outside his cell on December 17, 1981, while he watched, and that he himself had also been physically mistreated. He testified that he had been denied food for a period of more than 40 days in 1974, resulting in the loss of use of his legs. Valladares asserted that the medical treatment he was receiving for his paralysis was withdrawn prior to his release and that he was not allowed to go into the open air or receive visitors or correspondence. He was also mistreated by guards.

Other reports of abuse continue, particularly with respect to the treatment of several hundred political prisoners who have persistently refused to participate in the Government's re-education scheme. These prisoners refuse to take part in official prison duties and activities or to wear prison uniforms. Amnesty International, in its 1982 report, noted that these prisoners' already poor conditions deteriorated sharply during 1981 and expressed deep concern about reports that prison authorities have several times withdrawn food, medical treatment, and special diets from political prisoners, many of whom are old and sick, because of their refusal to accept prison regulations. It was also charged that the prisoners had been beaten by prison guards.

e. Arbitrary Arrest and Imprisonment

The 1976 Constitution states that "none of the freedoms which are recognized for citizens can be exercised contrary to ...the existence and the objective of the Socialist State, or contrary to the decision of the Cuban people to build socialism and communism. Violation of this principle can be punished by law." Repression of all freedoms is thus accorded legal authority by Cuba's own Constitution. In practical terms, this clause often translates into the imprisonment of individuals who are exercising basic freedoms included in the Universal Declaration of Human Rights, of which Cuba is a signator. Freedom House asserted that "hundreds" of political prisoners "who have refused to recant continue to be held in difficult conditions, and new arrests are frequent."

Based on estimates from a wide variety of sources, Cuba continues to hold up to 1,000 political prisoners. Freedom House noted that there are "reports of psychiatric institutions also being used to incarcerate."

f. Denial of Fair Public Trial

The Cuban Constitution specifies that the courts shall be "a system of state organs independent of all others." In practice, however, independent courts do not exist. All courts are subordinated to the National Assembly of People's Government and the Council of State. The 1977 Judicial System Law confirmed provisions of a 1973 law disbanding the revolutionary tribunals which until then had been empowered to deal specifically with "counter-revolutionary" offenses. Such political offenses now fall within the competence of the state security chambers of the higher-ranking people's courts. The courts appoint lawyers to represent all defendants. Defendants may also hire their own attorneys through the lawyers' guild.

Amnesty International, in its 1982 report, claims more than 50 political prisoners had received additional sentences without fair hearing because of their "rebellious attitude" and several political prisoners who had completed their sentences were not released. They were reportedly given an additional year in prison. Among them were Jose Oscar Rodriguez Terrero, Pedro Santana Canejo, Manuel Hernandez Cruz, Eduardo Capote Rodriguez, and Sergio Montes de Oca. Some of the 50 reportedly went on a hunger strike to protest their additional sentences.

g. Invasion of the Home

The Cuban Constitution states that "the home is inviolable. No one can enter the home of another against his will, except in those cases foreseen by law." In practice, however, the individual has scant legal protection against arbitrary search and seizure. In a rigidly controlled state like Cuba, it is difficult to estimate the prevalence of invasion of the home.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The freedoms of speech and press do not exist in Cuba. The legal system prevents any expression of disagreement with the socialist system. All print and electronic media are government-owned; material published in Cuba is approved by government censors in the Ministry of Culture. No one is allowed openly to oppose the system or Castro. Members of the artistic community have been jailed for not conforming to government guidelines on art. Their families have also been penalized. Dissenting views on important policy issues do not appear in the media. No criticism of the Party or Government is permitted, except to correct administrative errors or comment on local issues. Open criticism of officials is only permitted when approved at the top level. Freedom House contends that "writing or speaking against the system, even in private is severely repressed." The Cuban Government does some jamming of Voice of America broadcasts and permits very few non-communist publications to circulate in Cuba. As a result, Cuban citizens receive a controlled version of world news. Freedom of expression is hindered as well by the existence of a widespread informer system, part of which is institutionalized through the Committees for the Defense of the Revolution.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly is not a right guaranteed by the Cuban Constitution. All group activities are controlled and monitored by the Communist Party and the political block committees known as Committees for the Defense of the Revolution. These committees are an important instrument of mass control and mobilization, engaging in a wide range of activities in the name of "revolutionary vigilance."

All labor unions are also controlled by the state and the Cuban Communist Party. The Cuban Constitution does not recognize the right to strike. There is no collective bargaining. Nearly all Cuban workers belong to the Confederation of Cuban Workers, which serves primarily as an instrument of the state to maintain political and work discipline, spur worker effort and productivity and hold down labor costs, rather than to seek wage and benefit improvements and defend worker interests.

Labor-management relations are administered by the Ministry of Labor. Union members can vote for the officers of the local sections, but not for the municipal, provincial, and national officers who represent the union within the ministry that regulates their particular industry. While the state actively encourages individuals to participate in civic organizations, these organizations serve primarily as a means of social control. Secondarily, they offer the individual a limited channel for expressing his views and for advancing his own career as long as he remains within clearly defined parameters of officially sanctioned acceptability.

c. Freedom of Religion

The Cuban Constitution guarantees the right to profess and practice any religion. The Constitution also states, however, that it is illegal to "put one's faith or religious belief in opposition to the Constitution." Communist Party membership is considered to be inconsistent with the exercise of religious beliefs, thus effectively excluding those who practice religion from positions of authority in the Government or armed forces. There are also reports that persons who practice regular religious observance are discriminated against in employment, housing, and schooling. Members of religious groups such as Catholics, Jehovah's Witnesses, Seventh Day Adventists, Jews, and others who disagree with the Cuban Government on such matters as employment practices, education, or compulsory military service have been subject to prosecution for their dissent. They have also been subject to loss of jobs and denial of entrance to a university.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Travel within Cuba is not formally controlled. Foreign travel, however, is rarely available to the vast majority of the Cuban people. Those who wish to travel abroad even temporarily must obtain an exit permit from the Government. People of an economically-productive age are rarely granted permission to travel outside the country, even on a temporary basis. People who ask permission to leave permanently are stripped of their jobs, their ration cards, and their housing. Their children are not permitted to attend school.

Cuba's penal code makes it illegal to enter or leave the country without specific authorization. Some of the Cubans who arrived in the United States in 1980 from the port of Mariel subsequently changed their minds and sought to return to Cuba. The Cuban Government has refused to permit their return. A few Cubans have returned to Cuba without such permission; their treatment in Cuba is not known.

Sixteen Cubans who sought asylum in the Venezuelan Embassy in 1979-80 are still in Venezuelan diplomatic residences, and the Cuban Government has consistently refused to permit them to depart the country. Thirty-three Cubans (some ex-military) are still in asylum at the Peruvian Embassy; negotiations to allow them to depart the country have been unsuccessful.

e. Freedom to Participate in the Political Process

Cuba is a centralized Marxist-Leninist state dominated by President Fidel Castro and by a group of Communist Party officials most of whom trace their relationship with Castro back to the 1950's and the beginnings of the revolution in the Sierra Maestra mountains. The Communist Party is Cuba's only legal political party. After the revolution, the Castro Government either abolished or brought under its control all existing "mass organizations." It also created several new organizations such as the Committees for the Defense of the Revolution. As a result most sectors of Cuban society -- labor, women, youth, and artists, for example -- are highly organized.

The Government encourages all Cubans, including children, to participate in "mass organizations." The Committees for the Defense of the Revolution, for example, claim a total membership of 5,500,000, or almost 80 percent of the adult population. The Territorial Militias were created in 1980. With a current membership of 500,000, the Territorial Militias were originally projected to reach one million. Although ostensibly a home defense organization, the militias serve purposes similar to those of other "mass organizations." These mass organizations are used more for political and economic mobilization than for popular representation. They use both persuasion and coercion to channel the energies of the people toward goals established by the Communist Party.

Citizens can discuss local issues (e.g., public transportation, sanitation, and crime prevention) within the People's Assemblies established in 1976. They have, however, no right to participate in decisions on larger national issues or in the selection of senior members of the Government. The People's Assemblies represented a Cuban attempt at decentralization through creation of a system of municipal (county), regional, and provincial assemblies which oversee local administrations and elect delegates to a 481-member National Assembly of People's Government, theoretically the highest legislative body in Cuba. Although direct elections are held on the municipal level, all deputies are chosen by a party-controlled nominating procedure, i.e. candidates for election are nominated by meetings of mass-organizations and military bodies. The National Assembly has not developed any real political power, and none appears to have been intended.

Cuba has constitutionally outlawed discrimination against women and minorities. However, few women hold high positions in government, in spite of publicly-proclaimed efforts of the Party to promote them. Of the 225 members (full and alternate) of the Communist Party Central Committee elected in December 1980, 18 are women. One Politburo member, an alternate member, is a woman.

Blacks and other minorities are poorly represented in the top levels of government. While they comprise more than one quarter of the population their percentage in the Central Committee (full and alternate members) is about 10 to 15 percent. Only one of the members (full and alternate) of the Politburo is black.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights.

There were no known instances in 1982 or previously of the Cuban Government permitting foreign investigators to inquire into the state of human rights in Cuba. Representatives of Amnesty International were allowed to visit Cuba in 1977, but only private individuals. The Cuban Government has neither signed the American Convention on Human Rights nor allowed the Inter-American Human Rights Commission to visit Cuba. Several international, non-governmental human rights organizations have commented on the Cuban situation. Amnesty International's 1982 report stated that that organization's "concerns were the arbitrary resentencing of political prisoners who had completed their sentences; the imprisonment of prisoners of conscience; the imprisonment of people charged with criminal offenses where the real reasons for their imprisonment appeared to be political; allegations of ill-treatment of political detainees; trial procedures which fell short of internationally recognized legal standards; and the imposition of the death penaty." Freedom House, in its 1982 report, classified Cuba as "Not Free."

4. Economic, Social, and Cultural Situation.

Cuba is a Marxist-Leninist state with a centrally planned economy. The Soviet Union provided Cuba in 1982 with economic assistance estimated at well over $400 per capita annually. GNP is estimated at $900 - 1100 (1981). Despite efforts to diversify, Cuba's economy is largely based upon the single crop of sugar, with its fluctuating prices. Although Cuba's Constitution guarantees the right to work, underemployment is endemic, and there are signs of structural unemployment, unusual for a communist state.

Castro warned in his July 26 speech for 1982 that Cubans faced difficult economic times ahead and that the work week would be reduced for many workers, owing to the lack of foreign exchange needed to import materials for many local industries. More recently, Cuba informed its hard currency creditors that it could not meet payments falling due in the near future, owing to low world sugar prices and the lack of short-term credit facilities from foreign banks. The National Bank of Cuba requested all its hard currency creditors to reschedule about $2.8 billion in medium and long term debt over a ten-year period, postponing all repayments of principal until 1986.

Free education and health care are readily available in Cuba, whose 9.85 million population (1981) is growing at a rate of 1.6 percent (1980). Life expectancy at birth is 73 years (1980), and the infant mortality rate is 26 per 1,000 live births (1981). With tremendous emphasis placed on education, Cuba's literacy rate in 1975 reportedly reached 96 percent in 1975. There is a shortage of adequate housing, particularly in the urban areas.

Although the ratio of calorie supply available for consumption relative to basic nutritional requirements was 118 percent in 1977, food supplies are controlled by a strict rationing system. Each adult is alloted only 2.5 pounds of beef, 1.5 pounds of chicken, and four ounces of coffee per month. To obtain even these meager portions requires hours of waiting in lines and dealing with the bureaucracy.

Occasionally items are offered at higher prices free of the rationing system in a series of farmers' free markets, but both the quantity and the variety of goods available at such markets has decreased dramatically in 1982. This decrease was the direct result of a campaign by the Government against "middlemen" who were selling goods in these markets at a mark-up.

Although some small farmers and some former tenant farmers hold title to their land, the right to own private property, either individually or in association with others, is not fully recognized in Cuba. Most large firms were nationalized soon after the revolution, and small businesses (e.g. corner stores, newsstands, beauty shops) were nationalized in the 1960's.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: CUBA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	1.6	0.0	0.0	32.8
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	1.3	0.0	0.0	28.8
OTHER-UN	0.3	0.0	0.0	4.0
EEC	0.0	0.0	0.0	0.0

DOMINICA

Like other former British colonies in the West Indies, Dominica has inherited a Westminster-style system of parliamentary democracy. But since it achieved independence from the United Kingdom in 1978, the small island nation has suffered almost continuously from a combination of natural disasters and political unrest. Prime Minister Eugenia Charles' election in May 1979 followed a year of gross mismanagement marked by a general strike and the resignation of her predecessor, whose corrupt and inefficient caretaker government provoked widespread protest.

Dominica's tradition of political unrest have not abated during Miss Charles' administration. She has had to contend with an insurrection and kidnapping by armed Rastafarian cultists, the disaffection of the Dominican Defense Force, and two armed attempts to overthrow her government. In an effort to defuse the potentially volatile situation, the Prime Minister has disbanded the Defense Force and absorbed the responsibility of managing the police force herself. Likewise, the Prime Minister runs the Government almost single-handedly. She has twice declared a state of emergency, the latest of which ended on March 31, 1982.

Dominica's conservative, democratic government continues to enjoy widespread support and the Prime Minister's personal popularity and political base are well established. Much of the opposition has been thoroughly discredited by scandals and involvement in coup plotting.

Though Dominica remains the least developed of the Eastern Caribbean states, its economy is regaining forward momentum as a result of careful financial management. Timely infusions of disaster relief and rehabilitation assistance have enabled Dominica to show significant recovery in the production of bananas, the country's principal money-earning crop. Despite the economic improvement, however, Dominica will have to continue to rely heavily on external assistance for the foreseeable future.

Despite these recent difficulties, Dominica has had a good human rights record. The longer term situation may depend on strengthening the country's institutions and economy.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no reports in 1982 of killing for political motives.

b. Disappearance

There have been no reports of disappearances in 1982.

c. Torture

Torture is expressly prohibited by the Constitution. There have been no reports that it was practiced in 1982.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Such treatment is expressly prohibited by the Constitution, and there have been no reports of its occurrence.

e. Arbitrary Arrest and Imprisonment

The Constitution provides that anyone arrested shall be brought before a court within 72 hours. Arbitrary arrest and imprisonment are constitutionally prohibited and the Dominican Government abides by these provisions. In April 1981, former Prime Minister Patrick John and a small band of followers, primarily made up of unemployed members of the disbanded Defense Force, ineptly staged the first of two attempted coups to overthrow Prime Minister Charles' Government and install John in her stead. The US citizens who were enlisted to support the coup were tried and convicted in New Orleans in August 1981. A second unsuccessful coup in December 1981 sought John's release from prison prior to his trial.

f. Denial of Fair Public Trial

Dominica provides for public trials before an independent and impartial court. There is a presumption of innocence, and defendants are allowed legal counsel. Whenever it is believed that any of these conditions of judicial rights have been violated, an appeal can be registered.

Such action has been taken in the case of the coup/plot trial. Former Prime Minister Patrick John and three other officials were finally brought to trial in May 1982 after a series of postponements. The court's decision was in favor of the defense whose no-case motion was accepted by the judge. Subsequent press reports indicated that the jury returned a verdict of guilty twice before the judge dismissed the verdict as unacceptable and directed the jury to release John. The Dominican Government appealed the decision based on legal errors arising from the judge's alleged bias in favor of the defense. On December 7, 1982, the West Indies Associated States Court of Appeal, meeting in St. Vincent, handed down a decision upholding the appeal lodged by the Dominican Government. The court's decision ordered the rearrest and trial of three of the original four defendents (one was acquitted) on charges of plotting to overthrow the Eugenia Charles Government.

g. Invasion of the Home

The Constitution prohibits arbitrary entry and search, and none have been reported.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The constitutional guarantees in these areas were upheld before and during the 1980 elections and have been fully observed since then, except during the state of emergency, which has now expired. Dominica's small press community has taken an independent and sometimes critical view of the Government without suffering any interference or suppression. Newspapers are published by independent publishers, the Catholic Church, unions, and a leftist political party.

b. Freedom of Peaceful Assembly and Association

The freedom to assemble peaceably is scrupulously observed and opposition groups are free to rally. Trade unions are permitted to organize and enjoy the right to strike. Labor unions are small in number and do not constitute a viable political force. Women enjoy full access to all these freedoms.

c. Freedom of Religion

There is freedom of religion, except for the Rastafarian cult. Membership in the cult is forbidden by the 1975 "Dread Act" passed after members were found to have engaged in criminal activities. The act, while still on the books, is "suspended," according to the Government, and there is no evidence that it is enforced, despite continued involvement of Rastafarians in criminal activities, including a kidnapping-murder in 1981 and a drug-related murder in 1982. Religious groups, including Rastafarians, have been politically active in the recent past and have been allowed full scope for their activities. The predominant Christian denominations in Dominica are Anglican and Roman Catholic. There is a small but growing Muslim community on the island.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

These rights are guaranteed in law and honored in practice.

e. Freedom to Participate in the Political Process

Dominica is a parliamentary democracy patterned after the British model. Four political parties covering the ideological spectrum participated in the 1980 elections. They have continued to operate at levels consistent with their actual degree of public support and internal cohesiveness. Political rights, except for assembly and association, continued unhindered during the recent state of emergency, when even supporters of the detained former prime minister were permitted to be politically active. Women have full rights under the law and are active in the political system; the Prime Minister and a Junior Minister are women, as are several other government officials.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Government's strict attention to legal procedure and openness to judicial review in its conduct of the state of emergency of early 1981 elicited uniformly favorable regional comment. It was responsive to inquiries from the press, other governments and Amnesty International concerning the treatment of individual detainees. There are no branches of international human rights organizations in Dominica, nor is there any local body active in monitoring human rights violations. Freedom House's 1982 report classified Dominica as "free."

4. Economic, Social, and Cultural Situation

Dominica is a small and poor country with a population of 80,000 people. Starting from a 1970 per capita income of about $300, generated largely from its single cash crop of bananas, slow progress is being made in improving social services and raising overall wealth. The 1979 per capita income was estimated at $400, while the infant mortality rate, one of the few measured indicators of social welfare, fell from 58.3 per thousand live births to 19.6. Other indicators, such as literacy as the percent of calorie supply available relative to nutritional requirements, were constant at adequate if sometimes minimal levels. Dominica has had a low population growth rate, constant at about 1.7 percent, resulting from a moderately high birth rate and increasing life expectancy counterbalanced by emigration of a high proportion of the population, with the loss of human capital this implies. Education is compulsory between the ages of 5 to 14, and literacy is estimated to be above 80 percent.

Much of the inadequate infrastructure left by the colonial Government was destroyed by hurricanes in 1979 and 1980, as was the entire banana crop. Exports recently expanded (although into a fairly competitive market), and the Government has taken steps urgently to improve its revenues for the maintenance of vital services and infrastructure and to generate new funds for capital development. Inheriting a virtually bankrupt treasury, the Dominica Freedom Party Government has imposed fiscal responsibility and secured a three-year extended fund facility from the International Monetary Fund. Initiatives to obtain capital development aid and private investment have been pursued vigorously. The Dominican economy is now slowly looking up. Although much remains to be done, there is a tentative but emerging domestic consensus that with discipline and austerity as national requirements for all sectors, continued improvement can be registered.

DOMINICAN REPUBLIC

The Dominican Republic is a constitutional, multi-party democracy with an elected president and vice president, an elected bicameral legislature, and an independent judiciary whose members are appointed by the Senate and headed by a Supreme Court. President Salvador Jorge Blanco began a four-year term in August 1982, after winning free and fair elections held in May. President Jorge has promised to promote broader civil and political rights in the tradition of his predecessor, Antonio Guzman Fernandez. The Guzman administration (1978-1982) achieved significant advances in this area. Unfortunately it had less success in improving the economic and physical well-being of the populace in the face of a world economic crisis which brought the prices of most Dominican exports to relative lows and sorely tried both the private and the extensive public sector of the nation's economy.

The Dominican Republic has gone through periods of harsh tyranny with only occasional interludes of political freedom since gaining independence from Haiti in 1844. Although the founders of the Dominican Republic set high standards for democratic practice and respect for civil liberties, these values were systematically violated by many of their successors, particularly during the thirty-year dictatorship of Rafael Trujillo (1930-61). After Trujillo's assassination in 1961, successive Governments began to respect basic human rights and the traditions of democracy gained in strength. The peaceful transfer of power in 1978, the first to occur from one elected Government to another, was a landmark in this process of democratization, which was further enforced by the holding of free and fair elections in 1982 and another peaceful transfer of power. Although the death of President Antonio Guzman 40 days before the end of his term was potentially destabilizing, all democratic elements, together with the armed forces and the Dominican people as a whole rallied behind the new president, Guzman's Vice President, Jacobo Majluta, and the transition of power occurred without incident. The election demonstrated the strength of Dominican democracy and the advances it has made in recent years.

Dominicans now enjoy in practice the broad range of human rights guaranteed them under the 1966 Constitution. Dominicans continue to exercise fully their political rights through a multiplicity of parties of the left, right, and center. They may express their opinions and hear opinions of all shades expressed through the country's numerous competing newspapers and magazines, radio stations, and television networks. Integrity of the person is also respected by the Government. Occasional abuses of authority by the Government are documented by the media, and investigation and correction of these abuses becomes a matter of public concern. The new administration has appointed a special presidential advisor for human rights. The administration has stated that reform of the judicial and penal systems, which have at times been considered problem areas, is a priority concern.

The long and short term trends for human rights in the Dominican Republic are positive, with the expected continuing evolution of the democratic system. Human rights is a major item of concern to the Dominican people and the advances made in this area under the Guzman administration provided an effective campaign issue for his party in the May elections.

One possible problem is found in the country's deteriorating economy. The Dominican economy has been buffeted by the world recession and has seen the prices of most of its principal exports (sugar, gold, coffee, cacao, bauxite, ferro-nickel) decline while its energy costs and the costs of other necessary imports of manufactured goods have risen. The Jorge administration has committed itself to a policy of economic austerity and is attempting to restrict imports and curtail government expenditures. There is much optimism that this plan, along with assistance from foreign multilateral and bilateral sources, will enable the basically strong Dominican economy to realize its potential.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Killing for political reasons has occurred only rarely in the Dominican Republic and reflects occasional outbursts of political passions at the local level. There have been a few deaths in election-related violence (approximately ten) in 1982 but most seem to have been accidental in nature. There have also been reported deaths in robberies whose perpetrators have been allegedly linked to a terrorist group supported by Cuba. Of concern, however, are several unexplained deaths of prisoners, including suspected terrorists, either in custody or reported shot by police while attempting to escape or resisting arrest. Such incidents are isolated, and seem to have ceased in recent months. They do not appear to represent government policy. These and other reported abuses of police authority are extensively reported in the Dominican press. In certain instances policemen and soldiers, including some officers, have been tried but not formally converted for such abuses of authority. Police and army officers have been demoted and administratively transferred for human rights violations.

b. Disappearance

There have been no reports of disappearance.

c. Torture

The Dominican Constitution of 1966 specifically prohibits torture and severe forms are not practiced. Some beatings of prisoners are reported, however.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Such treatment is prohibited by the Constitution. The Jorge administration, like its predecessor, entered office with a commitment to improve a poor prison system. Financial constraints may, however, continue to make it difficult to correct the unsanitary and overcrowded conditions in the Dominican prison system. Prisoners are not discriminated against within the prison system with the exception that prisoners with extra economic resources may supplement their diets and obtain better living arrangements.

The access of prisoners and their families to the free press remains a major deterrent to cruel, inhuman, or degrading punishment. Still, periodic reports of maltreatment of prisoners (mainly beatings) appear in the press and prisoners frequently claim, with some plausibility, that they were physically mistreated while in custody. Senior police officials are aware that cases of mistreatment occur and have disciplined members of the police force when evidence has warranted. Prisoners have sometimes been held incommunicado without charges longer than the maximum 48 hours mandated by the Constitution. The newly appointed Chief of Police has publicly promised to adhere rigidly to the 48-hour maximum for holding a prisoner without a charge.

e. Arbitrary Arrest and Imprisonment

There have apparently been no allegations that any political prisoners are held in Dominican jails. The Guzman administration passed legislation in its first year in office which provided for the release of over 200 political prisoners and resulted in the return of many exiles. There have been some instances in which strike leaders have been arrested and detained for short periods. These incidents are fully reported in the media and have at times been the subject of major public outcry. The detained persons are not formally charged and are, in almost all cases, released within 48 hours as required by the constitution.

f. Denial of Fair Public Trial

The constitutional guarantee of a public trial is respected, but the fairness and speediness of some trials have been subject to influence and manipulation, including allegations that some judges have accepted bribes. Court-appointed lawyers are provided free of charge for indigents. The defendant is generally charged shortly after arrest and the charges are clearly stated and made available to the defending counsel. Judges are selected by the Senate. They are independent of the executive branch but subject to removal or transfer by a majority vote in the Senate. (Judges are typically transferred in cases of malfeasance rather than removed.) Prosecuting attorneys are appointed by the executive.

There have been major shifts in the judiciary over the past several months because control of the appointing body (the Senate) shifted in 1982 from one political party to another for the first time since 1966. The Jorge administration has proposed constitutional reforms aimed at making the judiciary more independent from political pressures. No special political or security courts exist and civilians may not be tried by a military court or members of the armed forces by civilian courts unless they are first dismissed from the armed forces. An appeals procedure, including appellate jurisdictions and a Supreme Court of Justice, exists and is extensively used.

g. Invasion of the Home

A residence may not be searched without due process (which typically consists of a search made in the presence of a prosecutor or assistant prosecutor) except in cases of "hot pursuit" or where there exists reason to believe that a crime is actually occurring within the residence. Constitutional safeguards against invasion of the home are normally observed.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These freedoms are guaranteed by law and are respected. The viewpoints of opposition parties and others are freely aired, even when they are critical of the government. The only incident of note during 1982 involved the temporary suspension of a radio station after a broadcast by a political commentator in which certain charges, which were considered by objective observers to be totally false, were aired against the wife of President Guzman and against the Dominican armed forces. The station's suspension was extensively protested in the press, and the station was permitted to reopen after several months.

There is no censorship of domestic books on political grounds. Although foreign-produced pro-communist literature and other material has at times in the past been confiscated by customs, such material is reportedly now being passed through without incident. Artistic works are not censored and academic freedom, although reportedly impinged upon at times by university adminstrations, is not restricted by the Government.

The Government has been charged with intervening in both the press and in radio and television broadcasting through the offering and withholding of advertising revenue, an important factor in a country where the state is also a major industrial proprietor. This does not seem to have dampened press criticism, however, and large amounts of government advertising appear in periodicals that regularly criticize administration policies.

Dominican media regularly engage in political commentary. The country's newspapers are rated among the most free in the hemisphere by the Inter-American Press Association. Eight daily newspapers flourish in Santo Domingo and three in Santiago, the country's second city. They are distributed throughout the country. The numerous privately owned radio stations (162 AM stations and 65 FM stations) along with six privately owned television stations air almost all political points of view, as does the government-owned radio and television network.

b. Freedom of Peaceful Assembly and Association

Outdoor public meetings require a government permit; indoor gatherings are totally unrestricted. Permits for outdoor demonstrations have at times been denied to leftist groups and such demonstrations have been dispersed. Some leftist groups never apply for the permits, however, and have reportedly sought to provoke authorities into breaking up their demonstrations. During the 1982 political campaign the police at times suppressed rallies by leftist parties held without permits. This practice was later halted by presidential order, and all parties were allowed to hold outdoor rallies without applying for a permit. Opposition groups still alleged interference in their meetings by partisans of the governing party, and confrontations resulted in several deaths on both sides during the campaign. Government security forces generally maintained a neutral, peace-keeping role and electoral violence was condemned by all parties.

The labor movement in the Dominican Republic is still in its infancy. While only 12 percent of the work force is organized, many labor unions flourish in the manufacturing sector, as well as in other key parts of the economy such as sugar processing, transportation, communications, and mining. Unions operate under the handicap of a labor code enacted during the Trujillo regime that restricts the right to organize. For example, there is no protection for organizers or union officials. Where unions do exist, they have the right to negotiate and to go on strike. The platform of the governing party pledges labor code reform and some progress may be made in this area. The Labor Secretariat has endeavored over the past several years to let the unions exercise their rights under the existing law more so than in the past. It has also not shown any undue favoritism to the labor confederation affiliated with the governing party, which itself has at times gone on record criticizing the government.

Professional organizations such as the Lawyers Association and the Medical Association also exist and are not restricted by the Government. Like the unions, these organizations maintain relations with recognized international bodies of varying political philosophies.

c. Freedom of Religion

Approximately 95 percent of the population is Roman Catholic. That church's preeminent position is recognized by the concordat between the Dominican Republic and the Vatican and is accepted by the populace. Discrimination on racial, religious, and ethnic grounds is prohibited by the Constitution. There are no restrictions on the practice of other religious faiths. Conversion from Roman Catholicism to other faiths is permitted and those belonging to minority faiths suffer no discrimination. Adherence to the majority faith conveys no special status.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There are no restrictions on travel within the country, with the exception of a few military reservations to which access is controlled.

Individuals may be prevented from leaving the country on various legal grounds, such as outstanding tax claims, civil suits, or criminal charges. There is no restriction on emigration or on repatriation (with the exception of a legal prohibition on the entry of certain members of the Trujillo family). It is however against the law to leave the country without a passport or not to pass through immigration controls. Persons caught while attempting to leave the country with false documentation are usually fined under the law. A Dominican cannot have his citizenship revoked except through the voluntary acquisition of another nationality or for treason.

The Dominican Government has expressly stated that it does not wish to accept refugees because of local economic conditions. Still, a small number of Haitian political exiles live in the country within the large Haitian community (about 500,000). Some Haitian political refugees have been deported for failing to obey the Constitution's prohibition that foreigners not engage in political activity on Dominican soil. Local pro-Haitian exile groups allege that one Louis Samuel Roche, a Haitian permanently residing in the Dominican Republic, was returned to Haiti by Dominican authorities and allegedly suffered imprisonment there. The Government has denied that Roche was deported and the facts of the case are not yet clearly established. In a recent incident where 55 anti-Duvalier former Haitian residents were arrested by police while holding a meeting in the open, although at a private residence, 53 were released without charges being filed, while two who were US citizens were told to leave the country.

Anti-Duvalier Haitians, when expelled, are sent to countries other than Haiti. Some individuals seeking to illegally enter Dominican territory via the land border (which is legally closed except in a few designated crossing places) may have been forcibly returned to Haiti by local authorities. Those forcibly returned reportedly have included deserting members of the Haitian Armed Forces.

e. Freedom to Participate in the Political Process

The Dominican Republic is a functioning democracy in which citizens freely elect their leaders and express their opinions. Twelve political parties, ranging from the far right to the far left, participated in the 1982 elections in which a president, a vice president, a bicameral legislature, mayors, and municipal governing bodies were chosen. The 1982 elections were free and fair and while certain local results were subject to challenge and were adjudicated by an impartial electoral tribunal, the basic results were accepted by all participants. Opposition groups of the left, right, and center are allowed to exist freely, and as registered political parties receive the same privileges as the governing party. The administration makes a point of consulting with all of the parties represented in the Congress and even members of the governing party feel free to vote against administration policy. While certain opposition parties do exist illegally (mainly small extreme leftist groups), this condition is rooted in the refusal by such groups to register with the Central Electoral Board rather than in any Government policy of repression.

All groups within the Dominican population enjoy the right to vote. Women are represented among the elective officeholders as well as among the Government's high level appointees, although not in proportion to their numbers in the general population. Women hold only five percent of major elected offices and this percentage actually declined as a result of the 1982 elections. Still, the Secretary of State for Education, Fine Arts, and Worship is a woman, and numerous women have received appointments at the subcabinet level and as provincial governors.

There are no problems regarding nationality, citizenship, or statelessness. Dominican citizenship, whether acquired by birth in the Dominican Republic or from Dominican parents abroad or via naturalization, can only be revoked in cases of treason, espionage, or conspiracy against the state or by voluntary acquisition of another nationality.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Dominican Republic participates actively in international and regional human rights bodies and generally gives strong support to human rights issues in international fora. The status and treatment of Haitians living in the Dominican Republic has, however, been the focus of critical attention both in the Dominican Republic and abroad. The International Labor Organization (ILO) is currently studying the situation of Haitian workers in the Dominican Republic. A preliminary review has led the ILO to conclude that four ILO conventions may have been violated by both Haiti and the Dominican Republic in the system of recruitment and the working conditions of Haitian migrant workers contracted to harvest the Dominican sugar cane crop. A commission of inquiry composed of three independent experts was established in March 1982. It is expected to visit the country during the coming months.

The Subcommission Working Group on Slavery of the United Nations Human Rights Commission (UNHRC) in its August meeting heard a report prepared by the UK-based Anti-Slavery Society which was highly critical of the situation of Haitian migrant workers in the Dominican Republic. The report, based on on-site investigation, charges that the minimum provisions of the contract under which Haitian workers enter the country are not enforced, that the Haitian labor inspectors sent to monitor the situation of the migrants are not qualified and not working in the workers' best interests, and that the Dominican army was conducting raids in Haitian communities in the Dominican Republic to round up workers for the sugar harvest. The Dominican Government and most Dominican newspapers denounced the Anti-Slavery Society's report as an attempt to discredit the country.

The status of the Haitian community, both permanent and transient, within the Dominican Republic is a very complex matter. Haitians constitute the country's largest minority and estimates of Haitians permanently residing in the country (most of whom are illegal residents) range from 200,000 to about 500,000. There is little evidence of systematic discrimination against legal Haitian residents, although Haitians without legal residence have been subject to exploitation by their employers. Haitians, legal and illegal, have greatly benefited from government health and rural development programs.

Most criticism of Dominican Government policy regarding the Haitian community concentrates on the method by which the state-owned (60 percent) segment of the sugar industry contracts for the recruitment and admission of approximately 20,000 cane-cutters each year for the December-to-May sugar harvest. The terms of this agreement, which is not public, reportedly include a per capita cash payment to the Haitian Government while guaranteeing certain standards of housing and health care for the workers and providing for Haitian inspectors to supervise the contract's implementation. The agreement covers only a quarter of the estimated 80,000 Haitian agricultural workers who enter the Dominican Republic annually as harvest workers. It is generally accepted that many Haitian workers, whether under the agreement or not, are paid less than four dollars per day on a piece work basis and live in very poor conditions. Incidents of brutal treatment of cane-cutters by soldiers and guards employed by sugar companies have been reported in the local press. The migrant cane-cutters, along with other Haitians illegally in the country, have at times been rounded up in certain areas by the military and sent to work in the canefields, although for pay. Despite the difficult working conditions, cane-cutting jobs in the Dominican Republic are eagerly sought by Haitians.

International and domestic organizations interested in human rights questions have not been obstructed in their investigative efforts in the Dominican Republic. The openness of Dominican society allows information about alleged abuses to come to the fore. Various local organizations are engaged in reporting and commenting on human rights violations. They include the Dominican Union of Solidarity with Latin America (mainly concerned with Haitian and Central American issues), the Ecumenical Center for Human Rights (mainly concerned with the treatment of Haitians in the Dominican Republic), and the Dominican Union for the Defense of Human Rights. All have criticized the Dominican Government at various times during the year (for example, about the treatment of Haitian workers) and neither they nor their leaders have suffered for their human rights activities. Non-governmental human rights organizations from abroad are also allowed free access into the country and the Government has not acted to discourage their investigations, even into such sensitive areas as the treatment of Haitian migrant workers and exiles. Amnesty International has reported its concern about what it alleges to be the unacknowledged detention and forcible repatriation of Haitian refugees. Freedom House in 1982 rated the country as "free."

4. Economic, Social, and Cultural Situation

The Dominican Republic has a population of approximately 5,565,000 (1981) that has increased over the past decade at an annual growth rate of 2.6 percent (1980). One half of the population is under 16 years of age. Unemployment, now estimated at over 25 percent, has increased as economic growth has slowed and as more individuals enter the labor market. At least another 20 percent of the labor force is believed to be under-employed. Although the last two decades have seen the emergence of a middle class and per capita income was estimated in 1980 to be $1,100 per person, income distribution remains widely skewed. Over 700,000 Dominicans live outside of their country mainly in the United States, mostly in order to improve their economic opportunities.

Poverty is endemic. The World Bank estimated that in 1979, 29 percent of the urban population and 43 percent of the rural population were living below the Latin American poverty line. Per capita calorie consumption continues to be below the minimum requirement, although it increased to 93 percent in 1979 from 88 percent in 1970. While only 55 percent of the population has access to safe drinking water, according to a 1979 study, this is a great improvement from 37 percent in 1970. Despite a stated primary school enrollment of 96 percent in 1975, the literacy rate is estimated at only 62 percent and has actually declined in recent years.

Steady improvement in the economic well-being of the Dominican people has been frustrated by a number of factors: natural disasters, managerial deficiencies, corruption, and chronic lack of financial resources. But the most serious problem in recent years has been the adverse reversal in the terms of trade. World prices of sugar, gold, coffee, and cacao -- which together constitute approximately 75 percent of the country's exports -- have declined since early 1981, and a dramatically increased share of export earnings must be used to pay for the country's totally imported petroleum supply as a result of the huge jump in world oil prices over the past decade. The Guzman administration attempted to improve the lot of the Dominican poor, however, and allocated a higher proportion of public resources than previous governments to programs designed to meet basic needs. The 800 million dollars in damages caused by two severe hurricanes in 1979 necessitated the diversion of considerable international and domestic resources to a recovery and reconstruction program. The new Jorge administration is attempting to implement a tough austerity program while at the same time maintaining social programs and increasing employment.

Life expectancy has been on the rise (from 56.9 years in 1970 to 61.4 years in 1980) and infant mortality rates have dropped steadily to 37.0 deaths per 1,000 births in 1981. The Guzman administration gave priority status to preventive medicine and paid special attention to extending basic health services to the entire rural population through a network of 283 clinics and over 5,400 "health promoters," who received basic training in health care and work in their own neighborhoods.

While sexual, racial, and religious discrimination is prohibited by law, some subtle evidence of discrimination does exist in Dominican society. Women have not traditionally and do not now share equal economic and social status with men, although they are allowed to hold property in their own names apart from their husbands. There also exist certain subtle types of discrimination against Dominicans with very negroid physical characteristics, although this has not acted to deter several such individuals from achieving high positions in government, private industry, and intellectual and cultural life. Catholicism's status as the state religion has not resulted in discrimination againt non-Catholics, or non-practicing Catholics, in either the public or private sector.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: DOMINICAN REPUBLIC

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	55.8	38.5	82.3
LOANS...............	33.7	29.0	72.5
GRANTS..............	22.1	9.5	9.8
A.AID	34.6	17.4	60.0
LOANS...............	18.7	14.8	56.3
GRANTS..............	15.9	2.6	3.7
(SEC.SUPP.ASSIST.)...	0.0	0.0	41.0
B.FOOD FOR PEACE........	19.7	18.6	19.3
LOANS...............	15.0	14.2	16.2
GRANTS..............	4.7	4.4	3.1
TITLE I-TOTAL...........	15.0	14.2	16.2
REPAY. IN $-LOANS......	15.0	14.2	16.2
PAY. IN FOR. CURR......	0.0	0.0	0.0
TITLE II-TOTAL..........	4.7	4.4	3.1
E.RELIEF.EC.DEV & WFP.	0.2	0.0	0.0
VOL.RELIEF AGENCY......	4.5	4.4	3.1
C.OTHER ECON. ASSIST...	1.5	2.5	3.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.5	2.5	3.0
PEACE CORPS.......	1.4	1.9	2.2
NARCOTICS.........	0.0	0.0	0.0
OTHER.............	0.1	0.6	0.8
II.MIL. ASSIST.-TOTAL...	3.5	3.4	5.5
LOANS...............	3.2	3.0	4.0
GRANTS..............	0.3	0.4	1.5
A.MAP GRANTS...........	0.0	0.0	1.0
B.CREDIT SALES-FMS....	3.2	3.0	4.0
C.INTL MIL.ED.TRNG....	0.3	0.4	0.5
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	59.3	41.9	87.8
LOANS...............	36.9	32.0	76.5
GRANTS..............	22.4	9.9	11.3
OTHER US LOANS..........	10.8	1.2	0.0
EX-IM BANK LOANS.......	3.7	1.2	0.0
ALL OTHER..............	7.1	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	175.5	119.9	87.3	940.5
IBRD	85.0	24.0	25.4	285.4
IFC	2.0	0.4	0.0	15.7
IDA	0.0	0.0	0.0	22.1
IDB	87.5	95.0	61.9	590.7
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	1.0	0.5	0.0	20.9
OTHER-UN	0.0	0.0	0.0	5.7
EEC	0.0	0.0	0.0	0.0

ECUADOR

On August 10, 1979 Ecuador returned to constitutional government after eight years of military rule. Its Government is democratically elected. Since that time Ecuador largely has upheld guarantees of the integrity of the individual as well as political and civil liberties. Ecuador is a strong supporter of human rights within the Andean Pact and in Latin America. Freedom House, in its 1981 report, classified Ecuador as "free."

Ecuador was placed under a constitutionally-authorized state of national emergency for one week in October 1982. The emergency measures, decreed in the face of a violent public reaction against a series of economic austerity policies instituted by the Government, included a night-time curfew and a ban on public demonstrations and street gatherings. During the state of emergency the Government also suspended briefly the operation of two radio stations for alleged violation of the radio-TV-broadcasting law. Other constitutional guarantees were not infringed.

The Government is composed of an executive branch headed by a president and vice president, a unicameral legislature, and an independent judiciary. Local government consists of provincial and municipal councils, elected prefects, and mayors. All except the judicial officials are popularly elected. The President administers the National Police through the Minister of Government. Police power is in turn delegated to appointed provincial governors, intendants (provincial and municipal jurisdictions), and "political lieutenants" (parish level). The latter have the authority to arrest and fine in certain instances specified by law. Their actions may be challenged in court.

With a per capita gross domestic product of $1,353 (1982 estimate), Ecuador ranks as a moderately poor country. It is estimated that over half of the country's nearly nine million people live below the absolute poverty line. Large sectors of the population, particularly in rural areas, are not fully integrated into the national political and economic structure. Despite the burden of a large foreign debt and domestic budget deficit, the Government is carrying out an extensive, long-term national development program emphasizing improvements in the health care and educational systems, provisions of low-income housing and agrarian reform.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no reports of politically-motivated killing perpetrated by government forces, by quasi-official organizations, or by opposition or terrorist elements. However, two bomb attacks by unknown persons or groups were directed against targets in Quito in September and December 1982. The first caused minor damage to the headquarters of a Jewish association, while the second resulted in the death of three persons, injury to perhaps a dozen more and extensive damage to the building housing the Isreali Embassy.

b. Disappearance

There were in 1982 no reported instances where people have been abducted, secretly arrested, or held in clandestine detention by official or quasi-official elements.

c. Torture

The Constitution prohibits torture, and allegations of torture by government officials are rare. However, instances of police brutality in some local jurisdictions are reported to occur although these are unsanctioned by the authorities.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Inhuman or degrading punishment is prohibited under Ecuadorean law. Prison conditions vary from institution to institution, but are generally poor due to limited resources. Cells are frequently overcrowded and lack adequate ventilation, light, sanitary facilities, and potable water. Prison authorities punish prisoners for disciplinary reasons; beatings and solitary confinement are often alleged and very probably do take place.

Discriminatory treatment based on a prisoner's type of offense, social class, race, sex, or religion is not sanctioned in principle. In practice, however, prisoners with money can pay officials to avoid punishment or obtain better living conditions. With few exceptions, such as the women's prisons in Quito and Guayaquil, Ecuadorean penal institutions do not offer prisoner rehabilitation programs. The women's prisons in Quito and Cuenca are administered by the Sisters of the Good Shepherd, who organize retreats and other rehabilitative activities for prisoners. Some prisoners in Ecuadorean institutions can qualify for privileges such as day passes, conjugal visits, and the right to establish a business within the prison.

e. Arbitrary Arrest and Imprisonment

The right of habeas corpus is constitutionally guaranteed for all citizens, except in cases involving arrest during actual commission of a crime, the infraction of military law, or failure to obey a police officer. During 1982 both the President of the Supreme Court and the Government's Controller General criticized certain municipal jurisdictions for having abused the right of habeas corpus by releasing from custody suspects accused of serious criminal activity. A criminal suspect may be legally held without charge for a maximum of 72 hours. Preventive detention is illegal, although a Quito police publication acknowledged that persons with criminal records, who were unemployed and/or without fixed residences, were subject to detention if apprehended under suspicious circumstances. Trade union leaders have charged that some 200 persons detained during a two-day general strike in September were still being held in police custody one month later. In December 1982 trade union leaders stated that all persons detained by the Government during the disturbances in October were subsequently released.

f. Denial of Fair Public Trail

Ecuador has a three-tiered court system. The lowest level consists of civil and penal courts and specialized labor relations, housing, and traffic courts. At the intermediary level are the superior courts located in most of Ecuador's 20 provinces. The highest level is the Supreme Court, whose judges select the ordinary civil and penal judges and the specialized judges.

As in many civil code countries, judges play a central role in investigation as well as in deciding guilt or innocence. Defendants have the right to counsel, to refrain from testifying against themselves, and to appeal to the superior and supreme courts in case of conviction. Defendants may also request the constitutional guarantees tribunal, (an 11-member body made up of executive, legislative, and judicial branch officials and representatives of labor, industry, and the public at large), to investigate allegations of denial of constitutional or human rights. Military courts are empowered to try only those cases involving infractions of armed forces personnel and criminal acts directed against military installations, personnel, and legitimate military activities.

The court system is substantially independent in practice. For example, in June the Guayaquil superior court threw out a Government charge of sedition against an opposition figure. The Supreme Court, in another case, declared unconstitutional a part of the political parties law, which had been challenged by the Ecuadorean Communist Party.

Trial procedures are often lengthy; prisoners sometimes wait up to two years between arrest and sentencing. At least some of the over-crowding of Ecuador's prisons is attributed to the large number of convicted criminals awaiting sentencing. Time spent in prison counts toward completion of the final sentence.

g. Invasion of the Home

The Ecuadorean Government respects the sanctity of the home in theory and practice. Police must have a warrant in order to enter a home except in case of hot pursuit. Any judge may issue a search or arrest warrant.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Constitution guarantees freedom of speech and expression, and this right is vigorously exercised in the Ecuadorean mass information media. The penal code does establish penalties for persons convicted of slandering government officials, although this provision has not been invoked in almost two years. Newpapers, representing a wide range of political opinions, are privately owned and free from government intervention. There is no media censorship and, except for pornography, no censorship of foreign or domestic books, films, or works of art. The state of emergency imposed by President Hurtado in October 1982 exempted press censorship from suspension of constitutional guarantees, although the Government invoked provisions of the radio-TV-broadcasting law to close two radio stations--one in Quito and the other in Guayaquil--for five days for allegedly provocative broadcasts. Ecuadorean journalists must belong to the journalists' guild in order to practice their profession. There is no Government interference with academic inquiry.

b. Freedom of Peaceful Assembly and Association

The right of free assembly and association is established in the Constitution. Public rallies require prior consent from the local government. This normally is granted. However, during an illegal two-day national labor strike in September 1982, a street demonstration in Guayaquil was forcibly broken up by police, and arrests occurred. Strike leaders charged that police invaded several union headquarters, destroyed private property, and arrested several union leaders. These allegations were denied by the Government. In October the invocation under the Constitution of a temporary state of national emergency resulted in a night-time curfew and restrictions on the right of public assembly. An indeterminate number of persons were arrested for violating the curfew; most were released shortly after payment of a small fine.

Trade unions, which represent less than ten percent of the economically active population, are organized into three major confederations, reflecting different political orientations, and several independent labor organizations. All blue-collar workers, including those employed by the Government, enjoy the right to organize trade unions, to bargain collectively, and to strike. Government white-collar workers have the right to organize and bargain collectively, but not to strike. The Ecuadorean labor code provides for considerable government involvement in the resolution of labor-management disputes, especially through the Labor Ministry's mediation service and the system of labor courts. Trade union leaders are elected by the rank-and-file. The Constitution provides for the formal participation of trade unions in government through labor representation on the executive boards of the National Development Council, the Social Security Institute, the Constitutional Guarantees Tribunal, and the Vocational Training Institute.

c. Freedom of Religion

There is no state religion. Clergymen may not become high-level elected or appointed government officials. Ecuadoreans are free to practice the religion of their choice, and foreign missionaries operate freely in Ecuador.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Ecuadoreans may freely travel internally or abroad. There is no discriminatory treatment of women or other groups in matters of travel, emigration, or repatriation. However, Ecuadorean citizens and foreign adult residents must prove their compliance with income and other tax requirements in order to obtain an exit permit. Ecuadorean males must also show they have complied with the military service requirement in order to travel abroad. In April 1982 Ecuadorean military forces along the Ecuadorean-Colombian frontier captured five armed Colombians, including a teenage girl, who were identified as guerrillas. Press accounts quoted the Ecuadorean Defense Minister as saying that the group was turned over to Colombian authorities under the terms of a bilateral agreement covering border incidents such as these.

e. Freedom to Participate in the Political Process

Ecuador is a functioning multiparty democracy. Ecuadoreans 18 years of age and over have the right to vote. Voting is mandatory for literates and voluntary for illiterates; it is done by secret ballot. Citizens lacking a valid reason for not voting are subject to fines. All citizens have the right to form and join political parties. There are currently 12 certified political parties, including one communist party, represented in the national congress. In September 1982 the Supreme Court declared unconstitutional a provision of the political party law which withdrew certification from parties not receiving at least five percent of the popular vote in the most recent national elections. This provision had prohibited several small parties from legally certifying and fielding candidates for electoral office. Ecuador's elections under the democratic system since 1979 have been considered competitive and fair by outside observers. Representative bodies often fail to support central government proposals. For much of 1982, the Government lacked a congressional majority.

There are no laws discriminating against women or other groups with regard to political participation or suffrage. Ecuador is a conservative traditional society; as a result, there are few highly placed women in the Ecuadorean political structure. One of the few female politicans of stature heads the Alfarist Radical Front Political Party. Several women have served at the ministerial and undersecretarial level in the Hurtado administration. Ecuador's 69-member Congress includes blacks and persons of Indian origin.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Ecuador is an active participant in international and regional human rights organizations. In March 1982 the United Nations Committee on the Elimination of Racial Discrimination commended Ecuador for its performance in that area, as well as in the field of human rights generally. In September Dr. Julio Prado Vallejo was re-elected to a term on the Human Rights Committee of the UN Covenant on Civil and Political Rights.

Several human rights organizations, both church and lay-sponsored, exist in Ecuador, including affiliates of Amnesty International and the International Commission of Jurists. The Latin American Human Rights Association, founded in 1980 with assistance from the West German Friedrich Ebert Foundation, is headquartered in Quito. In October the Ministry of Health and that association signed an agreement establishing a jointly-funded program of cooperation and research on a number of human rights issues, including health and prison conditions.

Since the return to democratic rule in 1979, the Ecuadorean Government has made it clear that international and non-government human rights organizations are welcome to investigate human rights conditions in Ecuador. When Nobel Peace Prize recipient Adolfo Perez Esquivel visited Ecuador in February 1981, he cited human rights concerns in appealing to the Government for the release of certain convicted peasents in Azuay province. In April, the Catholic Church-sponsored ecumenical human rights commission criticized the forced expulsion by the local government in Manta of some 4,000 squatters from lands they had seized. The commission charged violation of the constitutional right for all Ecuadoreans to food, shelter, and health.

4. Economic, Social, and Cultural Situation

Ecuador faces significant challenges in meeting economic and social development needs. Ninety-seven percent of the country's estimated population of 8,945,000 lives in the Andean highlands and on the coast; the remainder live in the Galapagos Islands and the eastern jungle. Incorporating a 1982 currency devaluation, gross domestic product is estimated at $1,353. About 45 percent of the population resides in rural areas, where incomes and living conditions are generally inferior to those in the cities. The annual population growth rate is estimated at 3.1 percent.

Ecuador has made significant gains in the area of health care, credited principally to improved health delivery systems and to an increased number of doctors. The average life expectancy at birth increased from 57.2 years in 1968 to 61.2 years in 1980. The infant mortality rate declined from about 140 per 1,000 live births in 1960 to 66 per 1,000 in 1981.

Despite these advances, health care remains a problem for Ecuador. Although 80 percent of the urban population now has access to clean water (compared with 36 percent in 1975) and 70 percent to sewage disposal, these figures drop to 13 percent and 5 percent respectively, for rural areas. Calculations based on two 1975 surveys indicated that 59 percent of the population (40 percent in urban areas, 65 percent in rural areas) lived under conditions of absolute poverty. The ratio of caloric supply relative to nutritional needs is 92 percent. In October 1982 the Government initiated a school breakfast program in the province of Cotopaxi, which will eventually be expanded nationwide.

Rapid expansion of the education system in recent years has resulted in a dramatic improvement in school enrollments and overall literacy. Twenty-nine percent of the national budget in 1982 was earmarked for education and, despite austerity measures currently in effect, an absolute increase in education expenditures is being proposed for 1983. In 1981 there were 1,449,264 persons enrolled in primary level education, for an age-group ratio of 108 percent. As a result of an intensive literacy program, which reached 232,000 illiterates from 1979 to 1981, adult literacy has improved from 74.2 percent in 1974 to over 84 percent in 1981. In September 1982 Ecuador was commended by UNESCO for its success in combatting illiteracy.

The Ecuadorean Government is attempting to improve the social and economic conditions of the most needy of Ecuador's population through a five-year development plan (1979-1984). Among the special concerns of this plan are low-income housing and integrated rural development. Many housing units are considered sub-standard; two-thirds of all dwellings have two rooms or less. As part of a long-term program of agrarian reform, the Government by 1981 had distributed some 250,000 hectares to over 14,000 rural families.

The Constitution grants women the same rights and privileges as men in all aspects of public and private life, and Ecuador has ratified the UN convention on the Elimination of Discrimination Against Women. Although both men and women may file for civil divorce, the civil code contains family, property, and sexual behavior provisions which discriminate against women or entail a double standard. Cultural traditions rather than law are largely responsible for the second-class status of women in Ecuadorean society. In 1974, 43.5 percent of rural females over six years of age received no formal education. While the educational situation has improved substantially, women continue to lag well behind men at all educational levels except higher education. Female enrollment at this level numbered over 80,000 in 1979, or 35 percent of the total.

Women represent 35 percent of Ecuador's economically active population of 2.9 million. Urban women are usually employed as secretaries, teachers, clerks, or household servants; they are underrepresented in the technical, legal, and medical professions, as well as at the higher levels of government. Upper and middle class women are making some progress. About 12 percent of business executives are women although it appears that women are paid less than men in equal or comparable positions.

The annual inflation rate through November 1982 was 22 percent. According to official indices, urban unemployment is probably in the 8-9 percent range, while underemployment may be as high as 45 percent in urban areas and 75 percent in the countryside. Unemployment is higher among women than men.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: ECUADOR

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	11.9	15.5	22.9
LOANS...............	6.0	9.6	12.1
GRANTS..............	5.9	5.9	10.8
A.AID	8.3	12.5	17.3
LOANS...............	6.0	9.6	12.1
GRANTS..............	2.3	2.9	5.2
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE........	0.9	2.3	2.4
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.9	2.3	2.4
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.9	2.3	2.4
E.RELIEF.EC.DEV & WFP.	0.2	1.0	1.1
VOL.RELIEF AGENCY.....	0.7	1.3	1.3
C.OTHER ECON. ASSIST...	2.7	3.7	3.2
LOANS...............	0.0	0.0	0.0
GRANTS..............	2.7	3.7	3.2
PEACE CORPS.......	2.2	3.1	2.8
NARCOTICS.........	0.4	0.3	0.4
OTHER.............	0.1	0.3	0.0
II.MIL. ASSIST.-TOTAL...	3.3	4.3	5.0
LOANS...............	3.0	4.0	4.5
GRANTS..............	0.3	0.3	0.5
A.MAP GRANTS...........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	3.0	4.0	4.5
C.INTL MIL.ED.TRNG....	0.3	0.3	0.5
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	15.2	22.8	27.9
LOANS...............	9.0	13.6	16.6
GRANTS..............	6.2	9.2	11.3
OTHER US LOANS..........	1.2	2.7	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	1.2	2.7	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	270.7	211.6	328.8	1708.5
IBRD	105.0	137.0	117.0	650.2
IFC	1.3	10.5	9.3	49.1
IDA	0.0	0.0	0.0	37.5
IDB	161.0	63.5	202.5	921.3
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.5	0.2	0.0	41.9
OTHER-UN	1.8	0.0	0.0	9.5
EEC	0.0	0.0	0.0	0.0

EL SALVADOR

During 1982 El Salvador changed from a country ruled by a civilian-military junta to one in transition to a multiparty democracy. This change was brought about by the election on March 28 of a Constituent Assembly in the country's first truly free election in fifty years. Since this election, El Salvador has been governed by a provisional executive body elected by the Assembly, consisting of President Alvaro Magana, an independent, and three Vice Presidents, each representing one of the major democratic political parties. The Assembly exercises legislative authority and is drafting a new constitution. Presidential and municipal elections are scheduled to be held no later than March 28, 1984. Constitutional democracy in El Salvador continues to be limited by the suspension of constitutional rights in a response to the present military emergency resulting from guerrilla and terrorist attacks. The armed forces remain a significant political force in the country.

All human rights conditions in El Salvador are strongly affected by the on-going civil strife. As is common during civil strife, the achievement of a public order, that would protect each person's rights, has been disrupted by military operations, partisan hatreds, acts of revenge, the satisfaction of personal grudges, pervasive fear, and a prevailing uncertainty dominated by violence. This situation contributed to, and is complicated by, the near-paralysis of the judicial system, which is caused in part by corruption and intimidation and which is most evident when crimes of a political nature are being considered.

Civil strife has led to human rights violations by all parties involved in the conflict, the guerrillas of the left, terrorist groups on the right, and the forces employed by the Government. In 1982, the armed conflict continued between the elected government supported by the armed forces, and the leftist Democratic Revolutionary Front and the Farabundo Marti National Liberation Front (FDR/FMLN), which are trying to destroy the country's economy and seize political power by force of arms. An intense guerrilla war in the countryside and both urban and rural terrorism, in accordance with the guerrillas' strategy of prolonged warfare, characterize the military security situation. The Salvadoran armed forces reportedly suffered 1,073 killed in action and 2,584 wounded in action during 1982.

Serious human rights problems continued in El Salvador in 1982, despite signs of improvement throughout the year. Incidents of political assassinations, killings of civilians, disappearances, and torture continue to be reported, although at substantially lower levels than in 1981. The judicial system has failed to function effectively in the face of a guerrilla movement and abuses committed by elements of the security forces and rightist groups. In 1982, the armed forces demonstrated an increased awareness of the need to respect human rights and took some limited steps to improve their performance. Guerrillas were taken prisoner during combat operations, and some military personnel were disciplined for human rights abuses. The new Government established an official Human Rights Commission to scrutinize instances of human rights violations. The exercise of civil liberties remains severely curtailed by the passage of state of siege Decree 507.

In December 1980, the then-ruling junta decreed a state of siege to grant the armed forces a legal basis for the exercise of extraordinary authority in combating insurgency. It has been renewed every thirty days since. State of siege Decree 507 is based on Article 177 of the 1962 Constitution, which permits the temporary suspension of constitutional guarantees of individual rights in times of civil strife or subversion. Rights suspended include free transit, inviolability of correspondence, free expression and free assembly. The armed forces have the legal right to arrest without a warrant. Individuals charged with crimes against the state (e.g., sedition, treason) or related crimes (e.g., acts of terrorism) are remanded to secret military tribunals and subjected to the Military Code of Justice.

Whether the Government bears full responsibility for the crimes of certain rightist elements, and the members of the security forces associated with them, is difficult to establish for two reasons. First, the Magana Government presides uneasily over a collection of quite diverse parties in the Constituent Assembly and other non-government groups, whose actions it does not or cannot fully control. Second, it is characteristic of Salvadoran society that personal loyalties to relatives or locally powerful individuals are strong and often compete with loyalties to legal superiors within the organizations of the Government or to officers within the military chain of command. Thus, it is often difficult to know whether, in taking a given action, a member of the security force is obeying orders handed down through the military or Government chain of command, carrying out the wishes of some local patron or acting on his own..

A Catholic society of Spanish colonial heritage, modern El Salvador is characterized by a small capital-owning class, a small but expanding middle class and a large mass of primarily subsistence level agricultural workers. The population growth rate is a high 3.2 percent per year. El Salvador's developing economy was expanding until 1978, when leftist terrorism, rightist counter-violence, and pressure for reforms led to massive capital flight and a general deterioration of investor confidence. Since that time the gross domestic product has fallen by over 25 percent, and unemployment has risen to about 40 percent in many areas of the country. Manufacturing and export-oriented production of coffee, cotton, and sugar have all been hard hit, both by the weakened regional and world economy and by the guerrilla-instigated violence. The economic and transportation infrastructure and productive facilities continue to be priority targets for terrorist attacks. In March 1980, El Salvador initiated sweeping social and economic reforms, designed to transfer ownership of farmlands from a small number of large landholders to a larger number of agricultural workers. Despite difficulties, these reforms continued in 1982. Upon completion, some 750,000 people will directly benefit, and more than 23 percent of the nation's farmland will have changed ownership. As of November 1982, land reform had benefitted approximately 416,000 Salvadorans.

The development of a strong and violent revolutionary opposition in the late 1970's can be attributed in part to the extreme rigidity of the former political system, closed to participation by other than a few officially-accepted parties, under the control of an economic oligarchy backed by the security forces and the military. This situation changed fundamentally on October 15, 1979, when reformist officers overthrew the government of General Romero and established a broad-based civilian-military revolutionary junta, which included the representatives of parties from the left of the political spectrum. In early 1980, the leftist participants abandoned this junta to join the extreme left in a situation of mounting civil strife. The Christian Democratic Party, led by Jose Napoleon Duarte, then joined the junta's military members, preserving civilian participation in the governing group. Th. 3 junta initiated a program of agrarian, banking, and trade reforms. It carried through these reforms in the face of strong opposition from both the conservative right and the guerrilla left. The Christian Democratic-military junta governed El Salvador until the March 28, 1982 Constituent Assembly elections. These elections shifted the ground of political action and were a major human rights development. The military adopted a neutral role by not voting. However, the military and security forces did provide security for voters wishing to cast their ballots. Some opposition forces, which traditionally regarded each other as subversive enemies, openly competed in the election campaign. Although the spectrum of participation was to a degree limited, since the extreme left rejected and sought to disrupt the electoral process, those who did choose to participate continue to peacefully compete in the democratic political forum provided by the Constituent Assembly. Members of those parties and political independents are represented in various government agencies and specialized commissions.

The Salvadoran Government, which has embarked on this transition to democracy, is currently being challenged by the FMLN--a coalition of Marxist/Leninist-led guerrilla organizations. The political affiliate of this organization, the FDR, includes elements of social democratic origin. One of the strategies of the FMLN involves the destruction of the Salvadoran economic infrastructure. Also targeted are municipal and national government installations, military personnel, and alleged government collaborators. The guerrillas and the FDR have published a general public program for a future government which includes a mixed economy and maintenance of certain individual liberties. Privately, the guerrillas and their affiliates have expressed admiration for Cuban and Nicaraguan domestic policies.

The Salvadoran Government is attempting to institutionalize a democratic process and promote greater respect for human rights. This nascent democratic trend is fragile and is threatened by extremists of the left and right. In this process, the role and attitude of the army will be very critical. Thus far, the leadership of the army has made a contribution to the democratic trend, by supporting the elections and encouraging compromise among the winning parties in the post-election period. Attitudes toward human rights among lower-ranking elements of the security forces and civilian defense force are improving but remain a problem. While the civil strife continues, short-term trends in human rights will vary greatly with the general level of violence.

1. Respect for the Integrity of the Person, Including Freedom from:

   a. Killing

Violence in El Salvador is endemic. Political polarization has exacerbated the levels of violence. Extremes of the right and the left regularly utilize assassination to eliminate and terrorize suspected opposition members and their sympathizers. Political assassination claims victims from all social classes. It is an institutionalized method in the warfare between the guerrillas of the FMLN and the far right, together with their sympathizers in the Salvadoran armed forces. Some groups associated with the military security forces identify and eliminate suspected collaborators of the FMLN and the FDR. Leftist terrorists in turn assassinate members of the armed forces, members of the paramilitary forces, civilian government authorities, and other citizens.

Attribution of killings is difficult. Groups rarely claim responsibility and witnesses are often reluctant to give testimony to an atrocity. Many victims could have been the targets of either the right or the left, or in at least some cases, victims of common violent crime. A number of political leaders, including about 26 local leaders of the Christian Democratic Party, were assassinated in 1982. Personally motivated assassination has on occasion been disguised as political assassination. At times the circumstances or the identity of victims can point to the perpetrator. For example, the assassination of the president of the International Trade Fair, Nicolas Nasser, on July 15, 1982, was likely to have been perpetrated by leftist terrorists, while many of the individuals removed from their homes after dark in urban areas and later found dead may be considered victims of armed groups of the right, including elements of the security forces.

There was a significant decrease in civilian deaths attributed to political violence in 1982. This decrease follows the downward trend identified in the latter half of 1981. The average of 445 deaths per month (as measured by press reports) in 1981 fell to an average of 219 deaths per month during 1982. While it is certain that these figures underreport the actual incidence of political violence, they do reflect trends. Supporting evidence of the decline in political violence can be derived from reports in the press of disappeared persons, some of whom undoubtedly were killed. These dropped from an average of 160 per month in 1981 to 38 in 1982.

Sources of information on political violence include newspapers, the armed forces, court records, human rights organizations, leftist organizations, and personal testimonies. Each of these is subject to limitations and/or biases. The four press dailies do report on violence. Although access to some rural areas is limited, press reports of deaths are considered a valid basis for data on political violence in rural areas. The armed forces have increased the release of information to the public, including casualty figures. Government information on guerrilla casualties, however, is subject to exaggeration. Court records list victims of violence identified by justices of the peace throughout the country. Such reports yield little additional information in cases of political violence since witnesses rarely come forward. However, they are useful to determine trends. Organizations which report on violence, besides the Government's Human Rights Commission, include the Archdiocese Commission of Justice and Peace, Christian Legal Aid (Socorro Juridico Cristiano), the Committee of Mothers and Relatives of Political Prisoners and the Disappeared, and the El Salvador Human Rights Commission. In addition, the Center for Investigation and Documentation of the Jesuit-run University of Central America is a human rights information clearing house. These groups rely primarily on newspaper reporting, supplemented with other sources such as announcements by guerrilla groups and personal testimony. In an effort to overcome what many in the Government feel is the leftist bias of these human rights groups, President Magana created a Human Rights Commission, which is composed of leaders of the church, labor, private sector and the National Police. The Commission will monitor and analyze the human rights situation and recommend to the President ways in which it can be improved.

The most significant contradiction in violence reporting concerns guerrilla combat casualties. During combat operations, the armed forces usually report all non-government casualties as guerrilla casualties. The independent human rights organizations mentioned above and Radio Venceremos report such casualties as civilian deaths. Both the armed forces and guerrillas tend to exaggerate and distort the data on casualties during combat for their own purposes. Estimates of the total number of persons who have died in El Salvador by political violence are subject to an unknown degree of inaccuracy.

In 1982 politically motivated civilian deaths numbered approximately 2,630, according to U.S. Embassy tabulations of press reports. Statistics collected by Salvadoran human rights groups are higher because, as stated earlier, since August 1982 these groups have included all deaths during combat operations, announced by the military, except Salvadoran Government casualties, as civilian political deaths. This change in methodology largely accounts for the higher figures reported by these groups in the second half of 1982.

The number of deaths reported in the press in 1982 is about 50 percent lower than the previous year. Information available from a variety of sources indicates that peak periods of political violence tend to correlate closely with increases in leftist violence. Examples include the August 1980 general strikes, the January 1981 "final offensive," guerilla attempts to disrupt the March 1982 elections, and several waves of urban terrorism. Since the second half of 1981, there has been an overall decline in political violence. One explanation for this decline may in fact be the armed left's reduced ability to act at will in the cities.

In 1982, the organized death squads of the far right virtually disappeared from the public scene. The most prominent of the death squads, the Maximiliano Hernandez Martinez Brigade, made only two public statements in 1982, both denying connection with other groups linked to extreme rightist violence. While such squads may continue to exist, their program of sowing public terror through violent elimination of suspected subversives appears to have subsided.

The leadership of the armed forces demonstrated a concern for reducing political violence in 1982. However, because of the inability of the judicial system to deal with politically-motivated crimes, a thorough administration of justice is unlikely in the near future. Nevertheless, Defense Minister General Garcia issued orders in March, based on a previously developed code of conduct, that those accused of human rights violations would be punished. A special campaign was directed at the civil defense forces, whose members have been accused of human rights abuses. General Garcia spoke to over 200 local commanders of civil defense forces on October 6, 1982. In that well-publicized meeting, he warned commanders that human rights violations were betrayals of public and armed forces trust and would be punished. By the end of 1982, 141 members of the armed forces and about 55 members of the civilian defense had been jailed for abuses of authority. While it is difficult to impute causes, increased professionalism and control over the armed forces is responsible for some of this decline. Any assumptions about the extent of killings and their specific motivation must be made with the caveat that most killings are unattributable or occur in isolated areas, making confirmation and explanation both deductive and difficult.

b. Disappearance

In 1982, reported disappearances averaged 38 per month. This compares with 160 per month in 1981, and 200 per month in 1980. Information on disappearances is available primarily from urban areas. Disappearances occurred under a variety of circumstances. Many of those who disappear become victims of political assassination. Also, some individuals may voluntarily disappear by going underground. Reports of guerrilla imprisonment are frequent. Kidnappings continue to occur; the victims are generally middle or upper middle class professionals who lack the protection of wealthier victims. In some kidnap cases the perpetrators can be determined. On December 5, 1982 in San Sebastian, El Salvador, guerrillas led over 136 soccer players and spectators away to their camps at gunpoint. Most were released within a few days. In most kidnap cases, however, the perpetrators are never known.

Family members and other groups and individuals attribute many disappearances of private citizens to units of the army, security forces, or paramilitary forces. Counterinsurgency units of the various security forces routinely practice arbitrary arrest and clandestine detention. The former is permitted under Decree 507. The capturing unit has 72 hours in which it can hold a prisoner before bringing charges. At any one time several hundred individuals may be held under these provisions or under extra-legal clandestine detention. Individuals "disappear", despite witnesses to their capture by uniformed forces or heavily armed men.

Under Decree 507, any citizen may file a writ, called a "Writ of Personal Exhibition," with the Supreme Court. On the basis of the writ, an appointed lawyer may make an inquiry to detention centers concerning the individual in question. There were some 500 of these writs pending in Supreme Court files at the end of August. Of these, approximately 50 individuals have been located and the rest have been classified as "under investigation," which in essence means the case is virtually closed because the indivduals cannot be found.

The Archdiocese Commission of Justice and Peace keeps a record of persons who have disappeared from the San Salvador area. The Commission files a Writ of Personal Exhibition with the Supreme Court for each case, which is based on family testimony. Complete information is available for the month of May, and provides an indication of the fate of disappeared. Of 68 disappearances reported to the Commission, five persons were found dead, 13 captured by security forces (of whom six were released and seven remanded to the military tribunals), and 50 remain unaccounted for.

c. Torture

Torture by elements of the Salvadoran armed forces, and on occasion by guerrilla forces, does occur. It is not possible to establish the prevalence of torture because valid and systematic means for documenting cases do not exist. Some elements of the security forces engage in the use of psychological and physical coercion to extract information from suspected leftists. There is evidence that on these occasions the use of torture has been prolonged and extreme.

The embassy has specific reports of eight cases of torture in 1982 by elements of the security forces. These range from psychological abuse such as threats of death to deprivation of food and sleep, and the infliction of electric shock and severe beatings. Evidence of torture on the bodies of the dead is widespread. It is believed that torture primarily occurs during the initial stages of detention, particular at clandestine detention cells.

The 1962 Constitution specifically prohibits torture. However, under Decree 507 military tribunals are given discretion over acceptable evidence, including extrajudicial confessions, which are inadmissable under Salvadoran law. Torture appears to have declined in 1982 along with civilian deaths attributed to political violence. (The statement that torture appears to have declined in 1982, is an assumption based on two observations: 1) the incidence of mutilated bodies of civilian victims attributed to political violence found dead has declined. 2) The number of incidental reports of torture from individuals and human rights organizations has declined.)

d. Cruel, Inhuman, or Degrading Treatment or Punishment

There are approximately 100 known detention locations under armed forces control and 25 prisons under Ministry of Justice authority in El Salvador. There may also be an unknown number of clandestine detention centers.

In the civilian-administered penal centers and penitentiaries, conditions range from poor to relatively good. Lack of resources is the primary constraint to improving conditions. The largest prison in El Salvador is Mariona Penitentiary, with over 1,000 prisoners. It includes a well-developed recreation and rehabilitation program.

Over 600 men at Mariona and 100 women at Ilopango Women's Prison are being held as political prisoners under the provisions of Decree 507. The prisoners are organized, with an outside support group. They hold regular meetings with prison directors who are generally responsive to their demands. Political prisoners' cell blocks are subject to search by security forces.

Although there are no unusual punishments or sentences provided for in El Salvador's Napoleonic Code, the seriously weakened and overburdened judicial system leaves most prisoners in jail for long periods of time before trial. Of a total of 3,200 prisoners, only 400 are serving sentences after having been tried and convicted by the courts. Delays of up to three years before a case comes to trial are common.

Decree 507 rescinds civil liberties because of civil strife and subjects political prisoners to military justice. The specified 180-day investigation period has lapsed for about 400 of the over 700 political prisoners. Forty-five prisoners have been held for at least two years without trial. Most remain in a legal limbo, without representation.

e. Arbitrary Arrest and Imprisonment

Arrest without warrant is permitted by Decree 507. Arresting officers are not obliged to identify themselves. There have been numerous reports of arrests at night by "heavily-armed men, dressed in civilian attire." Arrests are regularly conducted on the basis of a "denunciation," made by virtually any citizen. Under Decree 507, the armed forces may detain an individual for investigation without charge for up to fifteen days. After this period they must remand the individual to the military tribunals or release him. The security forces generally comply with this rule in cases of acknowledged detentions. The largest security force detention center is the National Police Headquarters in San Salvador. As many as 250 individuals, mostly common criminals, may be held there at any one time. However, reports of clandestine detention are frequent. One-fourth to one-half of those held at National Police Headquarters may be held under Decree 507 as suspected subversives at any given time. Approximately one in twenty is remanded after arrest to the military tribunals under Decree 507. The rest are either released or held for prolonged periods. A military tribunal may order "corrective detention" for 120 days.

The closest parallel to habeas corpus in the Salvadoran legal system is the "Writ of Personal Exhibition." Under this legal procedure when a writ is filed the Supreme Court, which has jurisdiction over all such petitions, appoints a "judge executor" who attempts to locate the subject of the petition. If successful, he then recommends to the Supreme Court whether legal grounds exist for continued detention of the individual. The state of siege extends the possible legal grounds for detention, but does not suspend the writ of personal exhibition. The "Writ of Personal Exhibition" is of little use in cases of unreported detentions since the "judge executor" is unable to locate individuals held in clandestine cells. On the basis of these writs, the Supreme Court determined that there were no grounds for holding over 300 detainees, between January of 1981 and September 1982.

f. Denial of Fair Public Trial

The civil strife in El Salvador has seriously weakened the criminal justice system. The court system is three-tiered with a Court of First Instance, an Appeals Court, and a Supreme Court. The system functions very slowly in criminal cases, where delays of two and three years are common. The courts are susceptible to coercion in cases involving members of the armed forces, persons of influence, or political cases. Judges, lawyers, witnesses, and jury members have been subject to bribery and to coercion by threats and acts of violence, including machine-gunnings and bombings.

Most political cases are dealt with under Decree 507 by the military and not by the civilian courts. Most crimes against the state, such as treason and sedition, and associated crimes related to subversion or terrorism are subject to trial by military tribunals. Once remanded to the tribunals, individuals may be held for up to 180 days during a preliminary investigatory period, which the tribunal may extend. Most of the over 700 political prisoners are in this extended status. They are not permitted legal representation during this period, nor are lawyers permitted access to evidence. The tribunal has authority to determine admissibility of evidence, including extrajudicial confessions and denunciations. Identities of the members of the tribunals, who are active duty military officers, are secret. Less than ten percent of the political prisoners have entered the trial stage. The Supreme Court has the authority to overturn decisions taken by these tribunals; however, this is rarely done. One case is currently under appeal in the Supreme Court.

The junta has renewed its offer of amnesty to guerrillas every year since 1980. It remains in effect under the current government. In 1982, several hundred members of leftist organizations, primarily guerrilla supporters from rural areas, availed themselves of the amnesty granted by the armed forces. The armed forces appeared to have respected the human rights of amnesty recipients, including the guerrilla combatants who have turned themselves in, and made efforts to resettle them and to otherwise ensure their well-being.

The multiparty Pact of Apaneca, signed on August 2, commits the Government to the creation of Political, Human Rights, and Peace Commissions. One of the priority tasks of the Peace Commission will be the development of a comprehensive amnesty program that will enable guerrillas and their sympathizers to turn themselves in to government authorities in return for government protection.

g. Invasion of the Home

Decree 507 permits search and seizure, including residences, without a warrant. Members of the armed forces routinely use forced entry to conduct arrests and investigations. On occasion captures of individuals are accompanied by thefts of personal belongings. Terrorists of the left and right also engage in invasion of the home and thefts and destruction of personal and commercial property.

2. Respect for Civil and Political Freedoms, Including:

a. Freedom of Speech and Press

State of siege Decree 507 suspends the constitutional rights of freedom of speech and press. However, in practice there is no official, institutionalized censorship. Violent political polarization and fear of reprisals are de facto the greatest impediments to free expression. The political polarization also inhibits free speech. As a result, Salvadorans are reserved in their remarks to strangers.

Foreign correspondents regularly file their stories without censorship or delays. The four daily papers exercise voluntary constraint on reporting news and opinion from the left. However, they do accept paid advertisements from organizatons loosely associated with the left. Their editorial boards tend to favor conservative viewpoints and conservative criticism of the Government is frequent. In 1982, newspapers were not the targets of terrorist bombings, as had been the case in previous years. A new weekly, launched in September, has a moderate perspective.

In spite of a pervasive fear of extremist reprisal, a number of sources publish dissenting opinions. Most prominent are the frequent news releases from Salvadoran organizations denouncing human rights violations, such as: "Human Rights", the Catholic Church Newsletter "Orientacion", and the bimonthly journal of the Jesuit-run University of Central America, "Estudios Centroamericanos" (ECA). These journals reflect a pro-FMLN viewpoint. A recent issue of "Estudios Centroamericanos" was dedicated to an analysis of the Salvadoran situation since the October 1979 coup and is extremely critical of the government. Its editorial policy also advocates negotiations with the guerrillas, which is contrary to Government policy.

Amnesty International, citing in particular the kidnapping and deaths of four Dutch journalists, urged the Government to safeguard the safety of all journalists working in the country.

The Constitution guarantees academic freedom. This right is not affected by the state of siege. In practice most universities voluntarily control or limit subjects and material taught. Only one of Salvador's 25 institutions of higher learning has a department of political science which teaches the country's only course on Marxism. Political science students are careful not to take books on socialism and Marxism off the university grounds. The National University has been closed since June 1980, but the university continues to operate in a number of rented classrooms.

It is widely believed that the national telephone company, ANTEL, has the ability to monitor telephone conversations. No legislation exists on the subject of wiretapping.

The constitutional provision protecting the inviolability of correspondence is suspended under the state of siege. Postal officials have the authority to inspect correspondence, although the prevalence of this practice is not known.

Both the government and the guerrillas have informer networks. Phone numbers for making denunciations to security forces are often announced in the media. Security forces rely heavily on these informers and anonymous denunciations about subversive and criminal activities. There are reports that human rights abuses often are triggered by anonymous reports to either security or guerrilla forces.

b. Freedom of Peaceful Assembly and Association

State of seige decree 507 suspends the constitutional right to free assembly and association. The suspension of these rights is aimed particularly at the popular organizations of the revolutionary left. These organizations had all but disappeared from the public scene by 1981 and now exist clandestinely on a much smaller scale. Mass demonstrations in San Salvador organized by these organizations had been used in the past to incite violence and provoke security force reaction.

During the January-March Constituent Assembly election campaign, the Salvadoran Government reinstated the right to assembly to all participating political parties. Government policy has been tolerant of peaceful assembly when it has not been used for what the Government regards as subversive purposes.

Organized labor has traditionally played an important role in El Salvador. This role has recently diminished, due to the current economic crisis. With a 25 percent drop in the GDP in the last three years and unemployment reaching 40 percent in some areas, unions are fighting a defensive struggle to preserve what they have achieved, rather than pressing for further gains. Salvadoran unions are independent and free from government control. There is no official labor federation. Organized labor federations run the full political spectrum in El Salvador, including the left wing Popular Democratic Union. The Salvadoran labor code recognizes labor's right to organize, negotiate, and strike. The right to strike, however, is rescinded by state of seige decree 544. In practice, there were a number of local wildcat strikes in 1982 with no significant reaction from the Government. The strength of the organized leftist labor federations has dissipated in recent years, and the continuing political crisis and terrorism have driven some leftist labor leaders and organizations underground. The three largest leftist labor federations belong to the FDR. Nevertheless, they still exist as legal organizations. Several leftist labor leaders have disappeared and some have been arrested for subversive political activities, such as organizing attempted strikes during the January 1981 "final offensive."

Less than ten percent of the work force belongs to any organized labor organization. This includes peasant organizations, which are not recognized formally as labor unions. El Salvador's labor organizations maintain close relations with most of the important international labor movements. The relative weakness of the organized labor movement in El Salvador during the past three years is due primarily to the catastrophic state of the economy and to political violence. Evidence indicates, however, that labor strength is on the rise again. The peasant organizations are particularly vibrant and growing.

c. Freedom of Religion

Freedom of religion exists in El Salvador and is constitutionally guaranteed. Catholicism is historically dominant, and the Catholic Church remains one of the society's most influential institutions. Apolitical activity by the church has not been impeded by the Government. Some clergy have been victims of political violence, presumably from the far right. Over 20 clerics were killed between 1980 and 1981, including Archbishop Romero and the four American churchwomen. Such violence against church persons has declined, and according to the Catholic Church, no clergy and fewer than 100 lay people were subjected to any violence in 1982.

The Catholic Church, including the hierarchy, is divided between conservative and liberal tendencies. In some cases individual priests have become identified with the cause of the leftist forces. The Salvadoran right has accused these clerics of politicizing the urban and rural poor, and many have then become the victims of rightist violence.

The Apostolic Administrator, Monsignor Rivera Damas, publicly criticizes both the FMLN and the armed forces for the continuing violence. In forming the Archdiocese Commission of Justice and Peace in April, Rivera Y Damas expressed the hope that this organization would be able to increase human rights awareness.

In recent years, evangelicalism, which is fervently apolitical, has attracted growing numbers of the Salvadoran people. Perhaps as many as one-fourth to one-half of the churchgoing population now belongs to one of the many evangelical movements. Some of the larger churches include the Assembly of God, Seventh Day Adventists, Mormons, Jehovah's Witnesses, and Baptists.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

State of seige Decree 507 also formally suspends the constitutional right to free movement. In practice, this suspension has little effect. Three major factors affect internal movement: the seasonal migration of large numbers of subsistence farmers primarily from the northern highlands to the coffee, cotton, and sugar lands during the November to March harvest season; the rural to urban migration of the poor, due to population growth and a belief of better opportunity; and the displacements due to violence primarily in the northern and eastern departments. There are approximately 249,000 displaced persons within El Salvador and approximately 60,000 to 75,000 refugees in camps outside the country, primarily in Honduras, Nicaragua, and Costa Rica. Over 500,000 Salvadorans have left in the past decade to seek employment in other countries, primarily the United States. About 10,000 individuals have sought political asylum in other countries, including the United States. There are no restrictions on emigration or on repatriation. Economically-motivated migrants returned to El Salvador by neighboring countries are not subject to any penalties and are free to reintegrate themselves into Salvadoran society.

e. Freedom to Participate in the Political Process

El Salvador is a country in transition to a multiparty democracy. The armed forces have an important influence on politics. The Government is composed of members from the major parties that participated in the March 28 elections, including political independents. The President, Alvaro Magana, is a political independent, selected as a consensus candidate after no single party received a majority of seats in the 60-deputy Constituent Assembly. On March 28, 1982, 1.5 million Salvadorans went to the polls to elect deputies to represent them in the country's legislative body, the Constituent Assembly. This massive popular turnout followed a four-month electoral campaign in which six parties ranging from the center-left to the far-right participated. The political front of the guerrilla movement was invited to field candidates in the elections, but claimed that conducive conditions did not exist. The front supported the guerrillas who attempted to violently disrupt the elections. The Central Elections Council and over 200 international observers agreed that the elections, also witnessed by over 700 members of the international press, were fair and honest, the first such elections in over fifty years.

The Constituent Assembly is made up of twenty-four representatives from the Christian Democrat Party, nineteen from the National Republican Alliance, fourteen from the Party of National Conciliation, two from the Democratic Action Party, and one from the Salvadoran Popular Party. Political parties representing interests that previously tended to express their opposition through violence are now competing in the democratic forum of the Assembly. Political debate is often divisive, but the parties have shown themselves capable of reaching important compromises. The Constituent Assembly exercises legislative authority and is engaged in drafting a new consitution. The 1962 Constitution remains in effect in the interim, subject to the requirements of Decree 507, Decree 544 and the agrarian reform.

Following the March elections, the Christian Democratic-military junta dissolved and transferred its authority to a provisional executive body. This body, elected by the Constituent Assembly, consists of President Alvaro Magana, an independent, and three vice presidents, each representing one of the three major democratic parties. In September, the Political Commission established the date for presidential and municipal elections for no later than March 28, 1984. The political parties, with the exception of the minor Democratic Action party, signed the Pact of Apaneca of the Government of National Unity on August 2. The Pact establishes goals for the Government under the headings: pacification, human rights, economic recuperation, reforms, confidence and security, and strengthening El Salvador's international position. The Pact sets forth three commissions: Political, Peace, and Human Rights. The commissions will serve to set specific objectives and consider initiatives such as judicial reform and a further opening of the political system to elements of the left. On August 31, the Political Commission was formed. Likewise, the Human Rights Commission was created in December 1982.

These first steps toward representative democracy are significant changes in El Salvador's traditionally closed political system, which in the past primarily served and was dominated by the interests of a small economic oligarchy. The elections and the subsequent efforts of President Magana to foster consensus have to some degree checked the trend towards further political polarization and extremism which had made extralegal measures the predominant means of holding and transferring political power. It remains to be seen if democratic elements of the FDR, who have allied themselves to the guerrilla groups, will be willing to enter this evolving process. The Government and the military continue to believe that elements identified with the revolutionary left are subject to exclusion as long as they maintain ties to those who advocate the violent overthrow of the Government.

Women are not excluded from political activity. There are many women professionals in the country. Women are deputies in the Constituent Assembly and hold positions in the administration. There are seven female deputies out of a total of sixty. A woman is a vice president of the Constituent Assembly.

3. Government Attitude Regarding International and Non-Governmental Investigations of Alleged Violations of Human Rights

El Salvador is the focus of considerable human rights-related attention in international organizations. The United Nations Human Rights Commission (UNHRC) has a special representative for El Salvador who visited the country in 1981 and 1982 at the invitation of the Government, and has prepared special reports to the United Nations General Assembly (UNGA) and UNHRC. The last report, presented in December 1982, recognized the Government's increased cooperation in its preparation. Two successive UNGA resolutions have condemned human rights violations in El Salvador. A resolution passed at the 36th UNGA used the human rights issue as a vehicle for proposing negotiations between the Government of El Salvador and the guerrillas, as did a resolution passed at the 38th UNHRC session. El Salvador opposed the human rights resolution because it contained calls for negotiations, which the government maintained would have legitimized the guerrillas' use of force to achieve political power in the country. In contrast, El Salvador won broad support from the Latin American countries when the Organization of American States General Assembly passed a resolution in December 1981 advocating a democratic solution to the country's problems.

Freedom House in its 1982 report characterized El Salvador as "Partly Free." Amnesty International's 1982 report listed reports of arbitrary arrests, abductions and subsequent disappearances, torture, and extralegal executions as its concerns in El Salvador. In addition, the Inter-American Human Rights Commission expressed concern about violations of human rights against members of local human rights organizations in El Salvador.

The International Committee of the Red Cross (ICRC) is active in El Salvador with the concurrence and cooperation of the Salvadoran Government. One of its main tasks is visiting prisoners held in the country's prisons and detention facilities.

Within El Salvador, there are five organizations (in addition to the Government's Human Rights Commission) which have the defense of human rights as their stated objective: the Archdiocese Commission of Justice and Peace, Christian Legal Aid, the El Salvador Human Rights Commission, the Committee of Mothers and Relatives of Political Prisoners and the Disappeared,and the University Center for Investigation and Documentation, an information clearing house at the Jesuit-run University of Central America. Apostolic Adminstrator Rivera Y Damas has stated his hope that the Commission for Justice and Peace might serve as mediator in a possible dialogue between the Government and the guerrillas. For the most part, their activities are limited to collecting data, filing writs of recourse in cases of disappeared persons, and attending to political prisoners. These groups are highly critical of government policy and denounce both the Government and the armed forces for human rights violations. These groups do not normally criticize guerrillas for similar violations. Some elements of the security forces regard them as having guerrilla sympathies and members of these organizations have been subject to arrest. Several disappeared in 1982.

4. The Economic, Social and Cultural Situation

El Salvador has a per capita gross national product of approximately $592 per year. Production is largely based on agriculture. Decapitalized farms and investment uncertainties (in part related to agrarian reform), increasing population pressure on scarce land, and guerrilla attacks on the economic infrastructure have affected production and growth. Since 1960, and prior to 1980, there had been rapid development in manufacturing, merchandising and industrial services. The political disintegration, which followed the October 15, 1979 coup, curtailed this progress.

El Salvador's economy faces severe structural problems: e.g. extremely high population density for an agriculturally-based economy, high unemployment and underemployment, a lack of mineral wealth, and an inadequate health and education infrastructure.

El Salvador is very densely populated, with 4,982,000 people within an area the size of the state of Massachusetts. The high population growth rate of 3.2 percent per year places constant pressure on meager government revenues. The population growth rate has increased substantially since 1960, when it was 2.3 percent per year, due largely to an improvement in life expectancy (up from 50 years to 63 years) and in the infant mortality rate (down from more than 108 per 1,000 live births to 53 per 1,000 live births). Education has also improved. Literacy is about 53 percent of the total adult population, up from 49 percent in 1960. In large part, this was a result of the mandatory lengthening of the primary school curriculum by three years in 1971. Some 82 percent of all school-age children are enrolled, with virtually no discrimination on the basis of sex. Roughly ten-percent of the population has an inadequate caloric intake, an improvement from 20 percent in 1960. Some 53 percent of the population lives within easy access to potable water, up from 40 percent in 1960. In the last two years, guerrilla attacks on aqueducts and the electrical grid have severely hindered access to potable water in many areas, particularly the eastern third of the country.

Much of the progress in health and education programs took place in the 1970's. Civil strife during the last three years, however, has disrupted development, especially in rural areas. Leftist guerrillas have specifically targeted the economic infrastructure, attacking the power grid, bridges, roads, railroads, the telephone system, and crop processing and storage facilities.

In March 1980, El Salvador instituted sweeping social and economic reforms designed in part to transfer ownership of farmlands from a small number of large landholders to those who worked the land. Under Phase I of the land reform program, all farms of more than 500 hectares were converted into worker cooperatives to be managed jointly by the members themselves and the Government land reform institute for a period of up to five years, after which the Government would withdraw and the cooperatives would become autonomous. The titling process, after a slow start, is continuing. Under Phase III of the land reform process, farms not worked directly by their owners can be claimed, in parcels of up to seven hectares each, by the tenant farmers or sharecroppers who work them. In spite of the administrative complexity of this task, 34,674 provisional titles (provisional because adequate contract surveys take time and because arrangements for compensating former owners are not completed) have already been issued to new owners. Approximately 416,000 people have directly benefitted from Phases I and III of the land reform.

Following the March elections some members of the Constituent Assembly attempted to dismantle land reform. A series of loosely-worded decrees, that were subject to broad interpretation, placed the reforms in jeopardy. Thousands of peasants were illegally evicted by landowners who felt the passage of these decrees signaled the end of land reform in El Salvador. This attempt to derail land reform has been halted. By means of executive decree the President closed the legal loophole that would have left thousands of peasants without legal recourse to regain their land. The Government mounted a major media campaign to identify those illegally evicted. Approximately 4,800 peasants reported being forced off their land, although the actual number is probably higher. Elements of the military accompanied peasants back to the land. Roughly 50 percent of those reportedly evicted have not yet been restored. Many of these cases have been passed to the judiciary to decide. Given the virtual breakdown of the legal system, it is unlikely that these cases will be decided expeditiously.

Upon completion of both the Phase I and Phase III programs, some 750,000 persons should directly benefit, and more than 23 percent of total farmland will be affected by the reform effort. Implementation of Phase II of the agrarian reform program, affecting medium-sized farms (100-500 hectares), except for voluntary land sales, has been postponed indefinitely due to administrative and financial problems, in spite of some continuing support within the Salvadoran Government. Bureaucratic delays and guerrilla warfare in the countryside have hampered the implementation of all land reform measures.

Although El Salvador has traditionally supported and continues to support private property rights, compensation of former owners of expropriated property, in the form of cash and bonds, is being paid slowly. As of December 1982, 130 affected owners of Phase I properties of over 500 hectares have received 72.6 million dollars in agrarian reform bonds and six million dollars in cash. Under the Decree 207 program (Phase III) transferring property to tenant farmers and sharecroppers, 3,584,199 dollars have been paid in compensation, to 136 former owners.

In an effort to promote agrarian reform, to facilitate structural change, and to broaden credit availability, the government nationalized the commercial banking system, and placed under state monopoly the foreign marketing of coffee and sugar, two of the nation's three major export crops. Tight foreign exchange controls are in effect, restricting outflows of capital and imports. Domestic credit is also in short supply for both public and private sector uses.

In 1982, El Salvador's economy experienced its fourth consecutive year of decline. In 1982, output showed a further deterioration, and unemployment, already dangerously high (about 40 percent), has risen further. The principal reasons have been higher import costs, weakness in the world markets for its major exports, disruption caused by terrorism and guerrilla warfare, and a deep lack of investor confidence in the economy. The weakness in the economy has placed a severe strain on government resources, impeded smooth implementation of reforms, reduced the nation's capacity to continue development in education, health and lower-income housing, and added to the political and administrative difficulties by increasing discontent and further dividing the nation. In July 1982, the International Monetary Fund approved a stand-by agreement for El Salvador, under which the Government has undertaken a number of measures to stabilize its economy.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: EL SALVADOR

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	58.3	114.0	182.2
LOANS..............	40.4	80.0	63.8
GRANTS.............	17.9	34.0	118.4
A.AID	52.3	78.3	154.6
LOANS..............	37.4	53.8	43.9
GRANTS.............	14.9	24.5	110.7
(SEC.SUPP.ASSIST.)...	9.1	44.9	115.0
B.FOOD FOR PEACE.......	5.5	35.3	27.6
LOANS..............	3.0	26.2	19.9
GRANTS.............	2.5	9.1	7.7
TITLE I-TOTAL..........	3.0	26.2	19.9
REPAY. IN S-LOANS.....	3.0	26.2	19.9
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	2.5	9.1	7.7
E.RELIEF.EC.DEV & WFP.	0.5	4.2	5.5
VOL.RELIEF AGENCY.....	2.0	4.9	2.2
C.OTHER ECON. ASSIST...	0.5	0.4	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.5	0.4	0.0
PEACE CORPS......	0.5	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.4	0.0
II.MIL. ASSIST.-TOTAL...	5.9	35.5	82.0
LOANS..............	5.7	10.0	16.5
GRANTS.............	0.2	25.5	65.5
A.MAP GRANTS..........	0.0	25.0	63.5
B.CREDIT SALES-FMS....	5.7	10.0	16.5
C.INTL MIL.ED.TRNG....	0.2	0.5	2.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	64.2	149.5	264.2
LOANS..............	46.1	90.0	80.3
GRANTS.............	18.1	59.5	183.9
OTHER US LOANS..........	0.1	0.0	0.0
EX-IM BANK LOANS.......	0.1	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1931	1982	1946-82
TOTAL........	48.9	40.5	112.4	727.1
IBRD	0.0	0.0	0.0	214.2
IFC	0.0	0.0	0.0	1.0
IDA	0.0	0.0	0.0	28.0
IDB	45.5	40.4	112.4	456.9
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.4	0.1	0.0	21.0
OTHER-UN	0.0	0.0	0.0	6.0
EEC	0.0	0.0	0.0	0.0

GRENADA

Human rights in Grenada (population about 118,000) has continued to deteriorate since the March 1979 coup d'etat led by leaders of the New JEWEL Movement, a revolutionary group opposed to the former Government of Sir Eric Gairy. The overthrow of the Gairy regime established Grenada as having the first nonconstitutional change of government in the commonwealth Caribbean--a condition which continues to prevail four years after the coup.

Like other former British colonies in the Eastern Caribbean, Grenada had adopted a Westminster-style system of parliamentary democracy at the time of its independence in 1974. Gairy, the first prime minister, was accused by his opponents of personal corruption, of rigging the 1976 elections, and of intimidating the opposition by using his "police auxiliary" forces, the "Mongoose Gang," to perform acts of violence. As a result of these abuses, the extra-constitutional character of the New JEWEL Movement coup was initially excused by the populace and the new People's Revolutionary Government greeted with widespread acceptance.

Despite promises by the new Government, led by Prime Minister Maurice Bishop, for an early return to the parliamentary system, to hold elections, and to uphold human rights, the Government, has not fulfilled these commitments. In 1981, Freedom House included Grenada among those countries which had registered "significant declines in freedom." In its 1982 report Freedom House characterized Grenada as "Not Free."

Shortly after taking power, the Government suspended the 1974 constitution and imprisoned certain former government officials, leaders of rival opposition parties and other citizens considered a threat to the revolution. Although some 55 political prisoners have since been released and a few have been charged and sentenced in court, as of the end of 1982 there were more than 100 political prisoners in Government custody. Prime Minister Bishop has justified the continued detention of political prisoners by arguing that "every revolution creates dislocation." The Government has also curtailed press freedom by closing the only pre-coup independent newspaper as well as two other journals following the publication of their first issues. The Government has vowed to fight against and prevent the spread in Grenada of what it describes as US "cultural imperialism."

Now more than any other time since the 1979 coup, Grenada appears further than ever away from the holding of democratic parliamentary elections. Indeed, Prime Minister Bishop declared at the November 1982 Caribbean Common Market heads of government meeting in Kingston, Jamaica that Grenada will never again see Westminster-style elections. Instead of elections, the Government speaks of some new form of democracy based on "responsibility, accountability, participation by the people at all levels, and right to benefits such as employment, education and health." The intention appears to be to introduce some form of consultation through mass organizations controlled by the New JEWEL Movement or the Government. Although the

Government has on several occasions stated its intention to establish a committee of experts to draw up a new proposal for a constitution which would then be subject to popular referendum, there has been no sign of progress in this regard. Opposition political activities and labor action have been discouraged and effectively curtailed by the Government.

The Government has pledged to improve the welfare of its citizens and has taken steps to meet the basic economic needs of the populace. These efforts have been adversely affected by production and marketing problems in the agricultural sector and declining tourist arrivals. Grenada's poor political climate has discouraged new investment and private initiative.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Unconfirmed reports indicate there may have been a few isolated incidents of politically-motivated murders of opponents of the new Government in the immediate aftermath of the 1979 coup. Since then, however, there have been no reports of political killings.

b. Disappearance

Although there continued to be infrequent reports of disappearances in 1982, none have been confirmed. Detentions are not always publicly announced, however, and no official list of detainees has been released by the Government since August 1980.

c. Torture

There have been some allegations by political prisoners of torture under the present Government. In October 1982, several prisoners on trial for conspiring to overthrow the Government and for terrorist acts charged that they had been tortured by government security forces following their arrest in June 1980. According to reports by these persons, physical and mental abuse appears to have occurred in connection with their arrest and during initial interrogations rather than throughout the period of their detention. There is physical evidence that prisoners have been abused during detention. Physical scarring would appear to substantiate their claim of having been burned by cigarettes and tortured with electric cattle prods. There were no reports of torture among a group of 29 detainees released conditionally on November 16, 1982. However, an American citizen recently release from Grenadian custody has reported that during the eleven months of his incarceration he was beaten, forced to spend a good deal of time naked in a cold cell, and on one occasion received a threat against his life from prison guards. Grenadian authorities held the American citizen in prison from Dec. 17, 1981 until Nov. 29, 1982 without notifying US authorities despite the prisoner's repeatedly informing the Grenadian police and prison guards of his US citizenship.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Released political detainees have complained about prison conditions, particularly about the inadequate quality and quantity of food. Prison diet is made up almost exclusively of rice and peas with fish and bananas as occasional supplements. Many of the prisoners reportedly suffer from gastro-intestinal problems. Some prisoners are permitted outside their cells for no more than one hour each day. Visits by family members are only allowed sporadically, and there have been reports of arbitrary suspension of visits, particularly for political detainees. Harassment in the form of confiscation by prison authorities of food packages from relatives has also been reported. Grenada's Richmond Hill prison facility which houses the majority of the political prisoners has no hot water, no showers and no flush toilets. Frequently the prisoners have no water at all for hygenic purposes. The cells are reportedly infested by insects and vermin and are more cramped than those for regular (non-political) prisoners. It is commonly noted among the prisoner population that one is "better dead than a detainee."

e. Arbitrary Arrest and Imprisonment

In suspending the Constitution in 1979, the government empowered itself to arrest persons without warrant for suspected counterrevolutionary activity. The Government has utilized this power to conduct periodic roundups of persons it accuses of anti-government activity. Few detainees have ever been charged, and those who eventually are released are apparently not informed of the reasons for their arrest. Such detention is for an indefinite term at the pleasure of the state. The right of habeas corpus does not exist. On December 31, 1981, the Government released 24 political detainees, without explaining the reasons either for their detention or for their release. Again, on November 26, 1982, on the eve of the Caribbean Common Market heads of government conference, the Government released 29 political detainees, this time on the condition, however, that they turn in their passports and report to the authorities every two weeks. The names of 14 of the 29 released were previously unknown to outside observers, suggesting there may be many more about whom outsiders are presently unaware. There are unconfirmed reports that a third amnesty may have occurred just prior to Christmas 1982. According to a Caribbean News Agency file of Dec. 20, 1982, the Grenadian Government may have released a "new group" of political prisoners. The current estimate is that political detainees still number somewhat more than 100, though the Grenadian Government talks only of 18 or "less than 50."

A 1980 law provided for the establishment of a three-member detention tribunal appointed by the Government. The law created a framework for the review of detentions by the tribunal as frequently as every two months. The tribunal announced that it would meet at six-month intervals, but has not kept that schedule, meeting only infrequently and sporadically. There are reliable reports that recommendations for release made in some cases have been rejected.

According to its 1982 report, "in December 1981, Amnesty International was investigating the cases of 77 detainees in Grenada."

f. Denial of Fair Public Trial

Political detainees are held indefinitely and are not normally charged (the relevant law does not oblige the Government to press charges). The preventive detention tribunal system has the effect of removing political cases from the judicial system and denying affected citizens a fair public trial. Of the more than 100 political prisoners whose incarceration has been confirmed, at least 90 are said to be held under the preventive detention regulations: approximately 20 have been charged under the 1980 Terrorism Law. Some 12 others may or may not have been charged, and at least two others apparently have turned state's evidence but are still held. Thus far, the political detainees who have been brought to trial have been tried under the Terrorism Law promulgated by the Government in 1980 with unlimited retroactive effect. The Law suspends the constitutional right to jury and makes confessions to members of the Government's security forces admissible as evidence.

The traditional legal system, based on British common law, continues to operate for ordinary criminal offenses, with the accused having the right to counsel and normal legal remedies. The independence of the judiciary still appears to be intact in civil and criminal cases. In its early days the Government appointed a three-man appeals court, composed of leading West Indian (but not Grenadian) jurists. This court has not functioned well due to the unavailability of its judges, who are not resident in Grenada. Several appeals have been delayed, during which time the appellants have remained in prison. The Government has taken steps to rectify the situation by recruiting new judges more readily available to hear cases.

g. Invasion of the Home

The Government has given the police force and the People's Revolutionary Army the power to make searches and arrests without warrant. There are many indications that searches made under the umbrella of "national security" have been used to stifle and harass opponents. Warrantless searches are usually carried out in conjunction with the arrests of presumed political opponents of the regime. Opponents also have had their homes and businesses placed under open surveillance by the Government and have had personal property confiscated and utilities disconnected.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Government has continued to suppress these freedoms. An independent newspaper, the "Grenadian Voice," appeared in mid-June 1981, but was closed by the Government shortly before distribution of its second issue. A law was passed making it illegal to publish this newspaper as well as, for an indefinite period, any other new journal. In July 1981, four persons linked with the "Grenadian Voice" were detained for alleged "CIA links." They are still being held.

Harassment of Grenadian correspondents of Western news agencies continued in 1982. The executive committee of the American Press Association has condemned the Grenadian Government for "its repeated attacks on freedom of the press." There have been reliable reports of individuals being intimidated by government personnel after "talking" with Western visitors and correspondents.

Regarding academic freedom, there apparently have been no attempts to prevent Grenadian students from enrolling in and attending off-island institutions of higher learning. However, students are strongly encouraged by the government to attend Cuban universities. Mail tampering is suspected as is electronic surveillance of open-voice communications lines.

b. Freedom of Peaceful Assembly and Association

There were no known instances of popular assembly in opposition to the Government. The futility and dangers of such activity were demonstrated by the breakup by Government supporters of the few such meetings held in 1979-80. Since coming to power the current regime has gradually gained influence over the local labor unions with the result that the independence of the unions has been seriously compromised. With the exception of one union, the Seamen and Waterfront Workers Union whose members include about 10 percent of the work force, all other unions are headed by Government sympathizers. Although Grenada on paper has a reasonably liberal labor code, the provisions of that code in reality have been modified since the Government reserves the right to declare any strike a political act and thus can take retaliatory action against any union. Labor unions in Grenada have no international affiliations.

c. Freedom of Religion

Traditionally Grenada has been a predominantly Catholic and Anglican country. The current Government is actively attempting to de-emphasize religion. Proselytizilng is forbidden. There have been reports of Government efforts to promote atheism. Although there has been no consistent pattern of harassment against churches, the Government in early 1980 closed a Catholic newspaper and accused the Catholic Church of being an instrument of "destabilization."

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

In general, there is no restriction on freedom of travel within the country, except for entry into zones restricted on national security grounds. However, the Government has the power to restrict the movement of any individual to certain geographical areas, including restriction to the person's home (house arrest). Foreign travel is normally unrestricted. Several shareholders in the suppressed "Grenadian Voice" newspaper, however, were, prevented from leaving Grenada in mid-1981 on a variety of unspecified grounds. Reliable reports indicated these persons were in some cases allowed to travel only after they pledged to the Government, sometimes publicly, no future involvement in such free press activities. Grenada's leading journalist was also denied permission to travel outside the country in 1981, a travel ban which was subsequently lifted.

Thoughout 1982 applications for asylum filed by Grenadians seeking to remain in the U.S. were processed by the Immigration and Naturalization Service and the Department of State. The majority of the applicants based their requests for asylum upon fear of political persecution or imprisonment in Grenada as a result of their association or identification with the former Government of Sir Eric Gairy. There were no reported requests by Grenadians for refugee status during 1982.

e. Freedom to Participate in the Political Process

Grenada is tightly controlled by a small group within the New JEWEL Movement. Very soon after the March 1979 coup which brought the present regime to power, Prime Minister Maurice Bishop declared there would no longer be a Westminster-style parliamentary system in Grenada. Since then, Government statements have indicated an increasing preference for establishing a form of "new democracy," based on consultation through "mass organizations." Individuals and opposition groups which have attempted to participate in the political process without Government authorization have been detained, harassed, or suppressed.

Men and women have equal legal and political rights in the Grenadian political system. Women hold a number of high Government positions (one is currently a cabinet minister and another is assigned to Washington as the Grenadian Ambassador to the Organization of American States) although they remain underrepresented in both public and private sector jobs in terms of the overall proportion of the population. The Government has encouraged formation of officially-sponsored women's groups and through various means has aided their participation in political, propaganda, and development efforts. In August 1982 Prime Minister Bishop established the Ministry of Women's Affairs. The new ministry is mandated to "work toward the elimination of artificial barriers which have hindered the development of Grenadian women." Current programs include the enrollment of women in adult education programs, social education and leadership training, and the establishment of day-care centers and nursery schools. Racial discrimination is not condoned by the Government, though the cabinet is made up almost exclusively of black ministers with the one exception of a Guyanese of East Indian origin. All other key Government officials are black. There are, however, other races employed in lesser Government positions.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights.

There has been in 1982 no significant improvement in the Government's attitude or response to outside expressions of concern over the human rights situation. Neighboring democratic leaders and regional media have become more openly critical of the Government's repressive practices as evidenced most recently at the Caribbean Common Market heads of state meeting in November 1982. The release of 29 political detainees on the eve of the Caribbean Common Market summit suggests that the Bishop regime had some concern about the anticipated criticism of its human rights record and felt pressured to provide some evidence of the progress it was making in this area. Press and individual inquiries about specific political prisoners have not been answered. During the late summer of 1982, a political detainee who is a legal permanent resident of the United States and the spouse of a U.S. citizen escaped from Grenadian incarceration. He was recaptured and returned to prison in November. In response to an official Embassy inquiry regarding the prisoner's state of health and general well-being, a Grenadian Foreign Ministry spokesman expressed surprise at the US Government's interest in detainees and stated that, "detainees are an internal PRG matter and a by-product of the revolution."

In January 1981 an Amnesty International mission went to Grenada to discuss the continued detention of persons without charge or trial and the alleged ill-treatment of detainees. Amnesty also took an interest in the trials of a number of political detainees in November 1982.

4. Economic, Social, and Cultural Situation

Grenada's economy has traditionally been based on agriculture. The three main cash crops are cocoa, bananas, and nutmeg. In recent years, tourism has become an important employer and source of foreign exchange. The Government increasingly relies on Cuba for economic assistance.

The early 1970's were a period of slowly increasing prosperity for the Grenadian people. The annual per capita income has reached $850. Cultivation of the three cash crops provided the foundation for economic development. Private investors, both domestic and foreign, built tourist facilities geared especially to North American visitors and retirees. A start was also made toward attracting private investment, although poor planning by the Government and increasing official corruption limited advancement. Indicators show that basic human needs were met in this period at adequate if sometimes minimal levels. Infant mortality fell from 34 to 15.4 per thousand and life expectancy rose from 67 to 69 years. Nevertheless, in the 1970's, Grenadians increasingly believed that the Gairy Government was more interested in enriching itself than in developing the country. This was a primary factor in the widespread support the present Government initially received when it came to power.

The present regime has created several new social welfare programs, concentrating on primary health care, education, and adult literacy. These programs, carried out with technical and financial assistance from abroad, have brought about some improvement. However, many factors have combined to limit progress. Depressed markets for export crops and production problems have reduced foreign exchange earnings, which in turn have lowered national income and government revenue. Reduced revenues have also been caused by a lack of private sector confidence and investment, occasioned by ambivalent government attitudes toward private business activity and by a fall in income from tourism resulting from a generally depressed Caribbean market and amplified by the negative reaction of American tourists to the Government's anti-US propaganda.

GUATEMALA

Guatemala is currently governed by Brigadier General Jose Efrain Rios Montt, who was asked by a group of young officers who staged a military coup on March 23, 1982 to lead a military junta. Alleging that fraud had taken place, the military junta rejected the results of the March 7 national election and dissolved the Congress. On April 28th it replaced the 1965 Constitution with a new statute of government issued by decree. On June 9 Rios Montt dissolved the junta and assumed the title of President. As President and as Commander of the Armed Forces he directs the Guatemalan policy making process.

On July 1 the Government decreed a state of siege which restricted civil and political liberties in Guatemala. Political party and labor union activities were formally suspended by the statute of government, although informal meetings have taken place. The press is prohibited from reporting on matters concerning the guerrilla insurgency, except for material provided by the executive branch. The press is also prohibited from reporting on political party activities. In practice, however, some articles other than those provided by the Government, do appear and there is some restrained criticism of government policy. The secrecy of the proceedings under the special courts established concurrently with the state of seige has raised serious concerns about due process, concerns heightened by four executions resulting from the secret proceedings.

Guatemala has a "dual economy" with a modern sector, which prospered through 1979, alongside a poorer traditional rural sector. Agriculture is the leading economic activity in output, employment, and foreign exchange earnings. Manufacturing for the local and Central American markets has grown rapidly in recent decades, but Guatemalan products have not proved generally competitive in the world markets. Government economic policy is predominantly laissez-faire. The public sector is small, and government revenue as a proportion of GDP is among the lowest in the hemisphere.

The present state of the Guatemalan economy is poor. Sharply curtailed export earnings, loss of credit standing in world financial markets, declining investment, a collapse of tourism, and economic mismanagement in the previous government have adversely affected the Guatemalan economy, as have its efforts to overcome the guerrilla movement.

Guatemalan governments have been confronted by guerrillas since the early 1960's. The armed opposition to the Government consists of four groups: the Guerrilla Army of the Poor; the Organization of the People in Arms; the Rebel Armed Forces; and the Guatemalan Communist Party. The objective of these groups is to establish by force a "revolutionary" government in Guatemala under their control.

The previous government was relatively successful in combatting the guerrillas in the capital in 1981 and 1982, although bombing incidents were frequent. The urban guerrilla base has been further weakened by the Rios Montt Government and bombings, arson and guerrilla attacks in urban areas have been relatively infrequent in recent months.

The guerrillas for years concentrated their efforts on gaining the support of the Indian population particularly in the relatively isolated western highlands. As the Guatemalan army challenged their control in this area, the guerrillas increasingly turned to violence and terror tactics against the Indians to force them to continue to provide material and logistic support. In attempting to suppress the guerrillas, Guatemalan governments, particularly the Lucas Garcia Government, which preceded Rios Montt, committed serious human rights abuses which affected large numbers of civilians who were caught between the Government and the guerrillas.

With Rios Montt's assumption of power, the situation began to change. The Government publicly committed itself to ending the abuses of the Lucas Garcia Government. At the same time, it intensified its efforts to check the guerrillas through a variety of methods: a 30-day period of amnesty; an offer of unconditional talks, which was rejected by a guerrilla front group; intensified military operations, expansion of self defense forces (first established toward the end of the previous regime), provision of food, medicine and shelter for those who sought the government's protection, and a state of siege, still in effect, under which the Government suspended constitutional guarantees.

In Guatemala's cities there has been a marked decrease in killings and disappearances since Rios Montt came to power, although some abuses continue to be reported. Some private citizens, including university students, were seized by members of the security forces on suspicion of having engaged in subversive activity. Some of these detentions were belatedly acknowledged by the Government and the persons were released. Others remain in detention. The guerrillas also have been responsible for kidnappings, including Rios Montt's nephew and Honduran President Suazo's daughter.

The situation in the countryside, on the other hand, remained unclear for several months as the army fought to regain areas that had been largely abandoned to guerrilla control. Guerrilla violence against those suspected of aiding or supporting the Government reportedly increased. During this period it is believed that members of both the army and the guerrillas were responsible for killings of civilians. According to some reports large numbers of civilians lost their lives.

In recent months it has become clearer both that the army has increased its control over areas formerly dominated by the guerrillas, and that its forces have begun to pay greater attention to the importance of proper treatment of the civilian population. Although there continued to be credible reports of human rights abuses by some military units, the overall conduct of the armed forces had improved by late in the year. The number of refugees and displaced persons increased with some communities and individuals seeking the army's protection and others going to refugee camps in neighboring countries. The National Reconstruction Committee, with the assistance of the army and the World Food Program, has organized food and medical programs to aid the thousands of displaced persons in the areas of conflict.

In an effort to give the predominantly Indian villagers some inducement to support the Government, the Rios Montt Administration has initiated what it calls its "beans and rifles" program whereby persons who support the Government are given the opportunity to work in rural and generally small-scale public works projects for which they are paid in food. At the same time an estimated 400,000 men and youths have been incorporated into self-defense forces to protect their villages against the guerrillas and to assist the army in its efforts against the insurgents. Participation in the civil defense patrols is voluntary. Although pressure to join is great, the majority of villagers appear to support the program. Most recently, the government instituted a new program of "housing, work, and food" to indicate a shift away from focussing on fighting the guerrillas to developing the country, particularly in the highlands.

The attitude of the Government towards human rights criticism and groups has changed fundamentally under the Rios Montt Government. The present Government has permitted international inspection and has cooperated with organizations concerned with monitoring government human rights practices.

The Rios Montt Government has begun the process toward transition to a democratic government by establishing an advisory Council of State. The Council began preparing decrees governing political parties, voter registration, and constituent assembly elections which will be sent to the President for approval or modification. President Rios Montt has said that these decrees will be promulgated on March 23, 1983, and that the constituent assembly will be inaugurated a year later. No date has been set for general elections. Although most political parties have refused to participate in the Council a cross-section of politically active citizens, including, for the first time, Indian representatives, have been appointed to it by the President.

In the short term, human rights trends in Guatemala will be greatly influenced by the state of the guerrilla movement. If the guerrillas are overcome, and Government efforts to regain the confidence of the people and improve the conduct of the armed forces continue, the outlook is positive. In the longer term, the institutionalization of constitutional democracy, the first steps of which process have been announced, represents the best prospect for protecting individual human rights.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

During 1982 the conflict between the Guatemalan Government and the guerrillas continued to result in the deaths of many civilians in addition to armed members of each party to the conflict. Clear attribution of responsibility for the deaths of noncombatants in the area of conflict is difficult. Government forces have been responsible for some of those deaths. It is also true that some villages that have organized local civil defense forces have been objects of guerrilla retaliation.

Since Rios Montt came to power in March 1982 there has been a decrease in the level of killing. This has been most notable in the cities where the frequent disappearances, generally followed by torture and murder, that occurred frequently under his predecessor, have been sharply curtailed, though not eliminated completely. It is not possible to unequivocably assign responsibility for most of these killings. Some have been committed by right-wing political elements. For some other deaths, particularly those of Government officials, the guerrillas have claimed responsibility.

The situation in the countryside is less clear. Particularly during the first months of the Rios Montt Administration, as the army began to move into areas previously controlled by the guerrillas, there were numerous allegations of atrocities. Since many of the people reportedly killed were living in scattered settlements in the Guatemalan highlands it is difficult to verify many of the reports of large scale killings. It has been established that some of the alleged atrocities never occurred. In most cases known to have occurred, it has not been possible to clearly determine whether the guerrillas or the army was responsible. Where it has been possible to assign responsibility, it appears more likely that in the majority of cases the insurgents, who have increasingly turned to terror in recent months in an effort to force the villagers to support them, have been guilty. In some cases, such as the alleged massacre in the town of Juleque in late November 1982, the reports have been shown to be guerrilla-inspired disinformation. Other reports indicate government units have been responsible for noncombatant deaths and human rights abuses.

Reports of incidents in which noncombatants are alleged to have been killed by the army have diminished in recent months as the army has regained control over large areas previously controlled by the guerrillas. The army reportedly has been making greater efforts to distinguish between active guerrillas and villagers who may have been forced to support the guerrilla movement. Guatemalan Government officials have stated that the Government of Guatemala has begun investigations of those cases implicating elements of the Guatemalan military.

The Government promulgated a new military code of conduct in August, stressing the importance of humane treatment of civilians, and reportedly provided each soldier with a pocket copy of it. The military penal code forbids the mistreatment of civilians and mandates that all noncombatants be treated with respect. Soldiers have reportedly been punished for mistreating civilians.

On January 6, 1983 a guerrilla group (ORPA) issued a statement in Havana claiming it had inflicted 1160 casualties on government forces in 1982. It also claimed its forces had occupied 186 farms, towns and communities in 1982. The guerrilla groups issued bulletins and other publications through Havana in which they recounted the number of casualties they have inflicted, acts of sabotage committed, and other activities such as assassinations/executions/ village takeovers; bombings of bridges, municipal buildings, police stations, and electrical substations; and burnings of farms, crops and buses. Guerrilla groups have claimed responsibility for attacks on various embassies in Guatemala City, including a rocket attack on the US Embassy in March 1982.

On September 17, 1982 the Government executed four individuals who had been tried and convicted by a special tribunal for attacks on elements of the National Police. The speed and secrecy of the proceedings prompted serious questions of due process.

Political figures of all persuasions were the target of violence in the early months of 1982, prior to the military coup. On January 16, the Secretary General of the Christian Democratic Party in Retalhuleu Department, who also was mayor of Champerico, was shot to death. On February 4 the campaign manager of the winning candidate was killed by assassins. The mayor of San Pedro Jocopilas, Quiche department, was shot and killed on February 6. He was a member of the Revolutionary Party, one of the three parties in the coalition supporting the winning candidate. On February 7 the Christian Democrat mayor of Chichicastenango was killed. None of the killers has been identified.

A US citizen, Brother James A. Miller of the La Salle Brothers, was shot to death in Huehuetenango on February 12, 1982. His killers have not yet been found. Those responsible for the 1981 murders of an American priest, Father Stanley Rother, and an American Mennonite missionary, John Troyer, have not yet been identified and brought to justice.

On May 27, the Episcopal Conference of Bishops of Guatemala made public a statement condemning the "massacres of numerous campesino and Indian families." The statement blamed "elements of the extreme right and extreme left, who attempt to justify these murders."

b. Disappearance

Disappearances have averaged about 26 per month during 1982. Of the yearly total of 319 victims, 26 were later released or reappeared. The Guatemalan penal code stipulates a prison sentence of eight to fifteen years for kidnapping or abduction and a death sentence if the victim dies. The law of the special tribunals, set up concurrently with the state of siege to try cases of subversion, imposes the death sentence for kidnapping. Although the identity and political coloration of most of the abductors is not known, both the Government and far left have admitted to some, after the fact. The Rios Montt Government has taken steps to try to enforce official accountability for illegal abductions. For example, the Government disbanded a group of secret agents known as "command six" which was alleged to have been responsible for many kidnappings and deaths during the Lucas Garcia regime. In addition, 200 officers of the National Police have been dismissed of whom 85 have been sent to special courts on charges of various criminal acts. Nevertheless, abductions by the Government have continued. In June 1982, the Government announced it was holding 12 students who allegedly had been involved in subversive activities. On June 9, the Government released 16 students to parental custody. On the other hand, a number of kidnap victims, on the basis of their identity, are targets of leftist terrorists. These include government officials and their children, businessmen, farm owners, and farm managers. For example, two days before the national election a prominent Guatemala City newspaper editor was kidnapped by one of the four major guerrilla groups and held for several months and only released after conditions had been met for publication of a communist manifesto in the international press and payment of a large ransom. Publication of a manifesto was also a condition for the release of children of the President's brother, the Interior Minister, and the President of Honduras.

c. Torture

The civil and criminal codes expressly prohibit both physical and mental torture. Both the nullified constitution and the present statute of government provide for the punishment of public officials or employees who engage in such practices. Nevertheless, the Guatemalan press has reported numerous incidents in which bodies were found showing evidence of having been tortured; in most instances, no one has been able to establish the identity of the perpetrators. Since the March 23 coup, there has been a marked decline in the reported incidents of torture. It is alleged that police authorities used harsh interrogation methods in the case of Dr. Juan Jose Hurtado, whom they abducted on June 24; the Government released him on July 29, and he subsequently left for the United States.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The main prison near Guatemala City is overcrowded; built to hold 700 prisoners, it currently houses some 1800. There are no indications of malnutrition or inadequate feeding. Family members are allowed to bring food and clothing to prisoners. Reports of prisoner abuse are infrequent. Better-behaved prisoners are allowed individual unbarred rooms within a cell-block. These men are allowed televisions, radios, and other amenities. The more dangerous or unmanageable prisoners are kept in barred cells and in more crowded conditions. Inmates are permitted to buy luxuries not supplied by the facility. Social class, race, or religion do not appear to be factors in treatment accorded individual prisoners.

e. Arbitrary Arrest and Imprisonment

Until April 1982 Guatemala's Constitution of 1965 provided for protection against arbitrary arrest and imprisonment. Nevertheless, throughout this period a considerable number of extra-judicial executions, political assassinations and unsolved murders took place. The criminal justice system under former President Lucas Garcia (1978-1982) was often unable to guarantee due process. Judges shied away from political cases and constitutional rights were, in fact, often ignored.

The rights and privileges of Guatemalans under President Rios Montt's Government are to be found in the April 28 statute of government which closely resembles the cancelled 1965 constitution. The July 1 state of siege restricts many of the personal guarantees listed in the statute of government such as the right to habeas corpus and the prohibition of arrests without a warrant. A separate decree also issued on July 1 established courts of special jurisdiction. These courts are an integral part of the executive branch and not part of an independent judiciary. These courts can order the arrest or preventive detention of any person suspected of having committed crimes against the state or public order. There is no right of habeas corpus for individuals so arrested; freedom on bail is forbidden and the trials are held secretly. Reportedly, the judges in the special courts are civilian lawyers and military officers. A decree provides for a public defender to be appointed for the defendant. Whether these structures are enforced is not known due to the secrecy of the proceedings. These special courts are required by law to hold preliminary hearings, evaluate evidence, release prisoners for want of evidence, and turn others over to a hearing, after which sentence is passed.

The number of persons held in preventive detention under special court jurisdiction is not known. On September 16, 1982, the Government announced its findings in the cases of 40 prisoners tried by a special court. Twenty-two were found not guilty and freed; eight were released pending review; six were held for sentencing; and four were condemned to death and executed on September 17. President Rios Montt announced on October 25, 1982 that further executions were stayed pending establishment of review and appeal procedures for prisoners condemned to death by the special courts. This action, he said, was in accord with the recommendations of the Inter-American Human Rights Commission. By the end of the year the Government announced that it had established an appellate process.

f. Denial of Fair Public Trial

The regular judiciary, as opposed to the special courts, is statutorily independent of the executive and military. Persons subject to the regular criminal and civil courts enjoy the rights of habeas corpus and freedom on bail. The majority of criminal cases continue to be heard in regular courts.

Every defendant in the Guatemalan judicial system including the special courts has the right to counsel. In the regular courts, a defendant must be charged or released within 48 hours of his arrest. This rule does not apply to the courts of special jurisdiction. According to the Government, the proceedings of the special courts are not made public for security reasons; therefore, it is not known whether the statutory guarantees are observed in these cases.

Prior to the coup of March 23 many judges were intimidated by death threats. Political murders, including those of judges and lawyers, went unsolved. According to press reports and public announcements, since the March 23 coup approximately 50 former officials of the Lucas Garcia Government have been brought to trial for cases of alleged corruption. Of this total, 14 were acquitted, 6 released pending a final decision, 3 convicted and 25 are still awaiting trial. One official has taken political asylum in a foreign embassy. One escaped from prison and an unknown number fled the country to avoid possible prosecution.

g. Invasion of the Home

Both the Constitution of 1965 and the 1982 statute of government prohibit invasion of the home unless authorized by a warrant. Nevertheless, the state of siege permits searches without warrants, and the Government has used the state of siege to cordon off sections of Guatemala City and conduct house to house searches.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Under the state of siege freedom of speech and press are restricted. The Government issued regulations enjoining the press from publishing information about the war, guerrilla activities, and politics. A separate regulation placed radio and television broadcasting under the control of the Directorate General of Broadcasting. The regulation has not been strictly enforced. Some criticism of government policies appears in the press and on television and radio. Political parties have received considerable press attention, especially during their dispute with President Rios Montt on the nature and function of the Council of State. Some joint letters from the political parties to the President have been published in full, describing their dissatisfaction with some of Rios Montt's policies. In addition to bulletins issued by the Government on the situation in the countryside, the press has sometimes published its own independent reports.

Threats and violence against journalists have all but disappeared since the March coup. The last such incident was on

March 5, 1982, when the co-owner and editorial columnist of the leading morning daily "Prensa Libre" was kidnapped and held for five months by the Guatemalan Communist Party. Prior to the coup, on February 5, the publisher and editor of "La Nacion" was murdered after assuming the job of campaign director for General Guevara, a candidate in the March elections.

Guatemalan journalists have three associations which continue to operate freely. The press associations declined to nominate a member and alternate to the Council of State because their by-laws forbid political activity. The President then named two well-known journalists, one from each of the two largest associations, to the Council.

If a journalist is accused of treason or sedition based on his public statements or writings, he has recourse to a special hearing before he can be turned over to a regular criminal court. This hearing is conducted by a panel composed of representatives from the press association, the lawyers association, and city or municipal officials. Officials from the central Government cannot be members of this special panel. This panel is obligated to review the charges and decide if the evidence warrants turning the accused over to a criminal court. This system is still in force.

Despite the state of siege and its attendant restrictions on internal reporting on subversive activities, the army has invited foreign journalists to the combat zones and these invitations are often accepted. These journalists can freely report on their observations.

b. Freedom of Peaceful Assembly and Association

Both the abrogated constitution of 1965 and the April 1982 statute of government guarantee the right of peaceful assembly and association. During the election campaign of 1982, many such meetings and assemblies were held as part of the various party campaign efforts. Under the July 1 state of siege, however, the right to peaceful assembly has been suspended. The executive can suspend the functioning of any entity, group, or organization that is deemed contrary to public order and security. Military authorities have the right to dissolve by force any meeting or demonstration in which participants brandish or use weapons. Unarmed groups may be dissolved by force after two clear warnings to disperse.

Only 10 to 15 percent of the work force in Guatemala is organized into labor unions. There are some sectors, however, in which the workers are highly organized: telecommunications, light and power, longshoremen, breweries, banks, and entertainment.

Both the nullified constitution and the statute of government provide for the right of workers and employers to organize freely, but limit the purposes of such organizations to economic protection and social betterment. These organizations and their directors may not take part in partisan politics. Workers may strike and employers may use the lock-out, exercised in accordance with law; public service companies may not do so. Under the state of siege, however, these rights do not exist. Nevertheless, the Government permits executive-level union meetings.

Before the March 23 coup, the ever-present danger of physical violence, death, and/or disappearance of prominent labor leaders brought the union movement to a virtual standstill. Since then the situation has improved significantly. On June 21, 1982, the leftwing National Workers' Center, in full-page ads in local newspapers marking the second anniversary of the 1980 kidnapping of 27 directors of that federation, blamed the former Lucas regime for these disappearances and criticized the Rios Montt Government for the continuation of violence against the Guatemalan people.

In previous years, the International Labor Organization (ILO) in Geneva censured the Government for failure to respond to charges of "violation of freedom of assembly." At the ILO conference in Geneva ending June 23, 1982, the committee on application of conventions and recommendations, while commending the new Government and noting that the attitude was much improved, did not lift the sanction. The Guatemalan Labor Minister told the ILO that the new regime would do everything possible to comply with Convention 87 and to cooperate with the ILO.

Unions and professional organizations maintain relations with related international bodies. The American Institute for Free Labor Development in 1982 assigned a new resident country program director after an absence of two years, and the organization is presently engaged in a full range of courses for Guatemalan union leaders. There have been no reports in 1982 of intimidation or persecution of professional groups, including scientific bodies, lawyers' associations, and other independent groups.

c. Freedom of Religion

Guatemala has no state or officially sanctioned religion. The country is approximately 75 percent Roman Catholic; the rest of the population is divided among various Protestant and other groups. By far the strongest of these other groups are the evangelical sects.

Open practice of religion is permitted. Evangelical Protestants are active and their membership is claimed to be steadily increasing. Prior to the coup of March 23, however, Catholic priests suffered from sporadic but violent persecution. It was believed by many that government security forces were responsible for the majority of these repressive actions.

Open practice of religion in areas of insurgent activity is still not safe. Some guerrillas in El Quiche, for example, have reportedly threatened to kill evangelical villagers if the latter are caught proselytizing. The Roman Catholic Church is reestablishing itself in conflict areas; it has assigned new bishops in the departments of El Quiche and El Peten. Conversion from one church to another is unrestricted.

Adherence to a particular faith confers no advantage or disadvantage. President Rios Montt has appointed a small number of his fellow members of the Christian Church of the Word to advisory and presidential staff positions. Members of evangelical churches receive no advantages in dealing with the Government. The same is true for members of all faiths. The President addresses the people of Guatemala on national radio and television every Sunday. He includes frequent references to his religious beliefs in these presentations.

Prior to the coup of March 23, certain members of the Roman Catholic Church were in distinct disfavor with the Government of Guatemala. Foreign Catholic priests and nuns were singled out for criticism by certain government and military officials. Between January 1, 1982 and the coup of March 23, Catholic workers in various areas of the country received threats or warnings to leave Guatemala for their own safety. Two priests were seized by government security forces on January 5, 1982; they were released on January 7 with a warning to leave the country.

In general, under the Lucas Garcia regime the Catholic Church in Guatemala was insecure in its status and uncertain of its future. There have been changes since the coup of March 23. President Rios Montt has stated that he would welcome the return of priests and religious workers who were driven out of the country by the violence, provided they are in good standing with the Catholic Church.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Freedom of movement within the country has been restricted in a number of ways because of the continuing problem of guerrilla and terrorist action. Certain areas of the country have been heavily infiltrated by insurgents, and travel in these areas is dangerous. Buses have been stopped; people robbed and at times killed. Guerrilla bands have interdicted highways and back roads, making travel within certain rural areas of the country dangerous. This situation is gradually improving as the army improves its control in the countryside. As a result of the fighting, a large number of rural residents fled from their homes during the past year. Estimates of internally displaced persons during the past year range from 30,000 to 250,000. An additional 20,000 to 25,000 persons have sought refuge in southern Mexico and 600 in Honduras. Many of the internally displaced have returned to their villages with the encouragement of the government. Some of the refugees in Mexico have returned.

The Constitution of 1965 and the 1982 statute which replaced it both guaranteed freedom of movement, but under the state of siege such freedoms have been suspended. The Government retains the right to search any vehicle and to restrict transit or parking of vehicles in any area.

Normal emigration continues. The number of Guatemalans who travel abroad has not noticeably decreased. There are economic rather than political restraints on foreign travel as exchange reserves have fallen.

Guatemalan citizenship may be suspended as a result of a final conviction of a felony. This suspension terminates upon completion of the sentence or upon amnesty or full pardon.

Guatemala does not force refugees or expatriates from other countries to return to their native country if they do not wish to do so. Large numbers of Nicaraguans and Salvadorans live in Guatemala.

e. Freedom to Participate in the Political Process

Guatemala is ruled by a military Government headed by General Rios Montt. That Government took power in a military coup d'etat on March 23, 1982. The year 1982 began in the midst of a national election campaign that culminated in the March 7 elections. Four presidential candidates representing seven political parties participated in a hotly-contested campaign. The eighth registered party participated at the municipal and congressional level, not fielding or endorsing a presidential candidate. Because of the wide selection of candidates and a broadbased effort to register and turn out voters, nearly 1.1 million persons reportedly voted. This was a significant increase over the previous elections in 1978. General Anibal Guevara, who ran on a coalition ticket of three parties and who was closely associated with the previous Government, was declared the winner with slightly over 35 percent of the official total, followed by three civilian candidates with 25, 21, and 9 percent respectively. About ten percent of the votes were blank or declared null.

The three losing candidates and their parties alleged that the elections were fradulent and formed a post-election front against the "fraud." They sent a letter of petition to President Lucas Garcia requesting that the elections be annulled. The military coup took place on March 23. The coup, led by junior officers, installed a three-man junta headed by Brigadier General Jose Efrain Rios Montt, who had been on inactive military status for several years. The other two junta members named were Brigadier General Horacio Maldonado Schaad and Colonel Francisco Luis Gordillo Martinez. That junta remained in place until June 9, when Rios Montt announced that he had accepted the resignations of the other two junta members. At the same time, it was announced by the army that General Rios Montt had assumed the title of President of the Republic.

Following the military coup on March 23, the junta dissolved the Congress and rejected the results of the March 7 elections. By a decree of April 28, the junta issued a statute of government which replaced the 1965 constitution and suspended political party and labor union activities. The statute declared that public power would be exercised by the military junta, which would perform the executive and legislative (but not judicial) functions, and would be responsible for drafting, promulgating and implementing laws. All laws, not specifically cancelled by the statute remained in effect. In this latter category are included public safety and criminal law.

The new military Government offered amnesty to all guerrillas who turned themselves in to the army, the Catholic Church, the Guatemalan Red Cross, or other specified institutions during the month of June. On June 15 President Rios Montt announced his willingness to conduct a dialogue with guerrilla leaders. The dialogue was rejected by a spokesman for the Democratic Front Against Repression. The Government then announced that, following the one-month amnesty period, a state of siege would be applied to bring "order and legality" to the Government's anti-guerrilla effort. By a series of decrees the Government implemented the state of siege on July 1.

The state of siege permitted the Government to order a partial mobilization of army veterans to bolster military strength; required employers to guarantee reemployment of workers mobilized by the army; authorized temporary appropriation of private property, as needed, with equitable renumeration; cancelled licenses to bear arms and prohibited sale of arms and explosives, except as authorized; authorized search of houses and vehicles without court orders; established government control over radio and television broadcasting; and modified certain individual guarantees that had been enunciated in the statute of government, including the imposition of stricter control over entry and exit from the country, permission for gatherings of more than four persons, suspension of trade union activity, the right to open mail, detention without written order, suspension of habeas corpus, and suspension of the right to petition government. Under the state of siege, the President would govern as commanding general of the army through the Ministry of Defense. The state of siege has subsequently been renewed each month for thirty-day periods.

On September 15, the Guatemalan Government formed a Council of State composed of 30 members and 30 alternates representing various sectors of the society. The largest component of the council are the 20 persons representing Guatemala's Indian groups. The other 40 persons represent the association of municipalities, the national university, private universities, bankers, urban workers, professional associations, press cooperatives, women's associations, judiciary, agricultural workers, agriculture, Chamber of Industry, Chamber of Commerce, and a political party, the United Front of the Revolution. The Council functions strictly as an advisory body and partisan political activity remains prohibited. Within the Council, three commissions have so far been established for political, economic and human rights matters. The Council is drafting the electoral laws concerning voter registration, political party organization and constituent assembly elections. These are to be promulgated on March 23, 1983.

There are both civilian and military ministers and both civilian and military officials in other government offices and agencies. The Supreme Court and other courts were not reorganized following the military coup. Appointments to judicial positions are made by the Government in consultation with professional bodies, such as the college of lawyers and the law faculties of the universities. Appointments to ministerial and other government posts, including the Council of State, were also in many cases made following such consultation. The indigenous members of the Council were selected in consultation with leaders of the various ethnic groups.

Because of the unpopularity of the Lucas Garcia Government and the belief shared by a significant sector of the population that the March 7 elections had been affected by fraud, the military coup of March 23 was well received by many in Guatemala. This acceptance initially was shared by the opposition political parties which had formed the post-election front, and they publicly acknowledged their role in bringing about the coup. These opposition political parties expected the new military Government to quickly establish a timetable for new elections but this did not occur. Subsequently Rio Montt announced that decrees concerning voter registration, political party organization, and constituent assembly elections would be issued on March 23, 1983. He has said that the election of a constituent assembly will take place early in 1984. No date has yet been announced for presidential elections and a return to democratic constitutional government.

Although political parties were formally suspended under the statute of government, they have continued to operate in a limited manner and have issued public statements critical of the Government. Representatives of the four opposition parties met periodically with President Rios Montt to express their concerns about the political process. These parties were invited to participate in the Council of State, but elected not to do so. One opposition party, not a member of the front, did participate. None of the three parties that had supported the candidacy of General Guevara in the March 7 election was permitted to join the Council. On September 13 the four "United Opposition Parties" reconstituted themselves as an "Interparty Constitutional Front" and presented their platform to the press in a document signed by directors of each party. This document called for a return to a constitutional system and for a "permanent democratic forum" of all representative sectors of society.

Two arrest cases involving political figures have been reported in connection with alleged coup plotting. On August 14 and 15, the press reported the arrests of eight persons allegedly connected with the National Liberation Movement and National Authentic Center political parties and speculated that these arrests and a search for the vice president of the National Liberation Movement party were related to coup plotting. All eight were subsequently released in September and exonerated of any charges. The National Liberation Movement vice president was publicly disavowed by his party and is believed to be outside Guatemala. On October 14, the Guatemalan press reported the kidnapping of a member of the right-wing National Liberation Movement party who had been a candidate for office in the March 7 national elections. On October 15, the national police announced that this individual had been detained and would be consigned to a court. No charges were made public. Col. Francisco Gordillo, one of the three original members of the March junta, was detained, cashiered from the army and subsequently released from house arrest. He is appealing to a civilian appellate court the primary findings of a military tribunal with regard to participation in coup plotting.

In mid-1981 an Office of Women's Affairs was created in the Ministry of Labor. This office was charged with promoting the welfare of women and their participation in the Government. Within the military Government that came into power on March 23, women have been appointed to a number of important posts. Four women were named to the Council of State, including one from the Office of Women's Affairs. One of the four was also given the position of vice president of the Economic Commission of the Council. A woman was named to the Supreme Court by the military Government, the first such appointment in this country's history, and a woman was appointed to a lower court as judge. The governor of the Department of Jutiapa is a woman, and several women were selected as mayors throughout the country.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Lucas Garcia Government did not invite international observers to monitor the March 7 national election, but permitted the international press and diplomatic corps to travel freely around the country to observe the actual voting on election day.

Prior to the military coup, the Guatemalan Government was not forthcoming in its relations with the United Nations Human Rights Commission (UNHRC). On March 11, 1982, the UNHRC adopted a resolution calling for the appointment of a special rapporteur for Guatemala. He was given the mandate to make a thorough study of the human rights situation to be presented to the UNHRC at its 1983 session. In a letter dated August 31, 1982 the Guatemalan permanent representative to the UNHRC stated that his Government would extend full cooperation when the rapporteur was named. At its regular annual session which ended on September 10, 1982, the UNHRC Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted a highly critical resolution on Guatemala. Subsequent to this, a rapporteur was suggested by the Commission and accepted by the Guatemalan Government. The UNHRC has not yet named the special rapporteur.

The new Guatemalan Government that came to power in March 1982 expressed its willingness to cooperate with human rights organizations and publicly invited them to visit Guatemala. The Inter-American Human Rights Commission (IAHRC) responded to a formal invitation from the Guatemalan Government and visited Guatemala between September 15 and 20, 1982. The Government extended full cooperation during the visit, which included trips to the areas of conflict and private meetings. President Rios Montt announced that, pursuant to a specific recommendation by the IAHRC that procedures governing the special tribunals be improved, particularly appeals procedures, before carrying out death sentences, he had suspended further executions by firing squads. Later the Government issued a decree which established an appeal procedure.

Representatives of the American Association for the Advancement of Science visited Guatemala in July to investigate the case of Dr. Juan Jose Hurtado, a Guatemalan pediatrician arrested on June 24. Dr. Hurtado was released into the custody of the Red Cross and the Catholic Church on July 29 and left the country in August.

A delegation from the Americas Watch Committee visited Guatemala in October 1982 and met with senior officials of the Government. The committee visited rural areas. A similar visit was made by representatives of the US National Council of Churches in November. The subsequent reports of both organizations were very critical of the human rights practices of the present Government.

The Government has stated publicly and at the highest levels that international human rights observers are free to visit Guatemala at any time. The Government has specifically rejected charges by Amnesty International of government complicity in the massacre of Indians and peasant farmers. A number of Government spokesmen have stated that Amnesty International may visit the country to investigate these charges. Amnesty International says that, consistent with its normal practice prior to visiting a country, it has written to the Guatemalan Government regarding its human rights concerns. Amnesty International states that in the absence of a substantive response from the Guatemalan Government to Amnesty International's formal communications, Amnesty International has taken no decision to approach the Government with a request that it receive such a visit.

The Guatemalan Red Cross, although autonomous, receives financial assistance from the Guatemalan Government and performs a wide spectrum of humanitarian services, including assistance to displaced persons. Two government organizations, the National Reconstruction Committee and the National Emergency Committee, are responsible for coordinating developmental and humanitarian programs of private voluntary and international organizations.

There are no other private Guatemalan human rights organizations active in the country. The Roman Catholic Episcopal Conference of Bishops issued public statements on human rights. Other organizations, such as CARITAS, are active in humanitarian work in Guatemala.

Freedom House, in its 1982 report, classified Guatemala as "Not Free".

4. Economic, Social, and Cultural Situation

The Guatemalan economy provides some, but not all, basic economic and social necessities to the population of 7.5 million (as of mid-1982). The distribution of income, $1,160 per capita GNP in 1980, is skewed; a small percentage enjoy living standards commensurate with developed countries, while over half the population remains in traditional agriculture with low cash incomes from seasonal agricultural labor and cottage industry. In 1977 the calorie supply available for consumption met 98 percent of nutritional requirements. The supply of staples, corn, and beans was sufficient in 1981 and 1982 at controlled prices. Severe nutritional want occurred in 1982 in local areas hard hit by the fighting. Generally the poorest half of the population suffers from a deficit of 40 percent of the minimum daily calorie requirement. Employment generated by economic growth surpassed the rate of population growth (3.1 percent in 1980) from the 1950's through the 1970's, but dropped sharply in 1981 and 1982. Official figures place unemployment and underemployment (mainly the latter) at about 40 percent in 1982. Health services and sanitation are fair to good (depending on income level) in Guatemala City and a few other urban centers, but generally poor in rural areas. Despite considerable public investment in potable water projects, medical centers and clinics, financed with the assistance of the Inter American Development Bank, only about 15 percent of the lowest income group living in the rural areas benefits. In 1975, 39 percent of the population had access to safe water, primarily in urban areas. The infant mortality rate was a high 66 per 1,000 live births, and life expectancy at birth was 58.9 years in 1981. The Ministry of Health has undertaken a pilot program in three departments to provide basic primary health care on a wide scale.

Economic growth over the past several decades under a free enterprise economic system has financed investment in the infrastructure necessary to create an integrated national economic system, but the growth that has taken place has left the contrast between the modern and traditional sectors of Guatemalan society increasingly pronounced. The contrast involves race, language, and culture, as well as income levels.

For the most part, the Government has followed a laissez-faire social policy toward the Indian peoples. The indigenous groups have maintained their cultures by choice, but times are changing. Population pressure on the land, contact with economic development, and other pressures are causing a steady drift from traditional into non-Indian society.

There are no legal barriers to cultural change or social mobility, but programs to assist that difficult process are far from adequate. One of the major steps taken in recent years, the tripling of the minimum wage in 1980, has been eroded by declining employment opportunities in the current recession. Since March 1982, through reprogramming and utilization of external resources, the Government has developed an immediate impact investment plan for the Indian highlands, which has been traditionally excluded from the benefits of prior economic growth. The National Reconstruction Committee has been granted funds to provide minimum shelter and food-for-work to persons displaced through political strife. The Government has begun implementing an access road project using hand labor to link the

Ixil triangle with the road network servicing the highlands and to create employment opportunities.

Primary education and adult literacy have received moderate attention and public expenditure in recent years. The adult literacy rate may have improved somewhat from a figure of 46.1 percent in 1973, but primary school enrollment was only 69 percent in 1980.

Literacy is a particularly great problem in Guatemala. Half the population is of Indian culture, having to learn Spanish (if at all) as a second language. During the past year, the Government approved $4.7 million over four years as counterpart for a $3.0 million AID loan that will expand non-formal education. This loan complements on-going projects to develop a system to teach Spanish as a second language to otherwise monolingual Indian children and a national literacy campaign begun by the prior Government. Construction of new rural schools has continued in the highlands and in the northern transversal strip.

While adequate shelter for the poor continues to be a major problem, low-cost housing programs have been planned with the support of international donors. The Government has programmed $10 million to match a foreign assistance loan of $10 million for low-income housing solutions. In addition, the Government has been supplying minimum construction needs to permit the rehabilitation of 2,352 dwellings severely damaged by flooding in September 1982.

In the agriculture sector, the present Government has continued the activities of its predecessor in opening large tracts of government lands for colonization. The development plan supports a shift to higher value agricultural crops as well as agro-industrial products. Because low cash crop prices have exhausted the working capital of many farmers, the Government has created a fund to guarantee commercial bank loans to the agricultural sector and has injected some liquidity into the banking system earmarked for agriculture.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: GUATEMALA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	13.0	19.0	15.5
LOANS...............	5.0	5.6	3.0
GRANTS..............	8.0	13.4	12.5
A.AID	7.8	9.1	8.2
LOANS...............	5.0	5.5	3.0
GRANTS..............	2.8	3.6	5.2
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	3.3	7.5	5.6
LOANS...............	0.0	0.0	0.0
GRANTS..............	3.3	7.5	5.6
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	3.3	7.5	5.6
E.RELIEF.EC.DEV & WFP.	0.2	0.3	1.3
VOL.RELIEF AGENCY.....	3.1	7.2	4.3
C.OTHER ECON. ASSIST...	1.9	2.4	1.7
LOANS...............	0.0	0.1	0.0
GRANTS..............	1.9	2.3	1.7
PEACE CORPS......	1.8	2.0	1.7
NARCOTICS........	0.0	0.0	0.0
OTHER...........	0.1	0.3	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	13.0	19.0	15.5
LOANS...............	5.0	5.6	3.0
GRANTS..............	8.0	13.4	12.5
OTHER US LOANS..........	0.8	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.8	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL.........	86.9	26.5	45.0	841.6
IBRD	17.0	0.0	0.0	275.2
IFC	0.0	0.0	0.0	15.2
IDA	0.0	0.0	0.0	0.0
IDB	66.0	25.5	42.5	516.1
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	2.8	1.0	0.0	20.8
OTHER-UN	1.1	0.0	2.5	11.3
EEC	0.0	0.0	0.0	0.0

GUYANA

The 1980 Constitution defined the Cooperative Republic of Guyana as a democratic sovereign state in the course of transition from capitalism to socialism. Guyana maintains the structure of a multi-party parliamentary republic within the Commonwealth, but the ruling People's National Congress and its leader, President Forbes Burnham, have imposed a racially oriented, minority government on the nation. The 1982 report by Freedom House, a US organization, classifies Guyana as "partly free."

The predominantly Afro-Guyanese party and President Burnham have consolidated power, to a great extent, through such nondemocratic means as electoral fraud, access to unaudited public funds, harassment of the opposition, and interference with the judiciary. Officially, the party operates on Marxist-Leninist principles with the goal of making Guyana a non-aligned cooperative socialist state. It came to power in 1964 in British-supervised elections which, although flawed, were the last relatively free national elections held in Guyana. The 1980 Constitution, which established an executive presidency dominating the legislative branch, was a practical acknowledgement of Burnham's long-time political dominance and personal power.

The only major opposition group is the People's Progressive Party, an orthodox Moscow-aligned communist party which holds 10 of the 65 parliamentary seats. Led by the Caribbean's pioneer leftist, Dr. Cheddi Jagan, it has traditionally appealed to the East Indian majority in Guyana, more from ethnic loyalty than political persuasion. The party's strident ideological orthodoxy has diminished its appeal to the basically entrepreneurial and conservative East Indians.

The only other opposition party of consequence in the recent past was the small, multi-ethnic, and leftist Working People's Alliance. Its momentum diminished, however, with the violent death in 1980 of its leader, Dr. Walter Rodney. Despite official denials, available information has linked government agents to Rodney's death. There is also evidence that Working People's Alliance members or sympathizers have engaged in para-military training, illegal gun importation, and other such illicit activities. The remaining opposition groups, mostly moderate in nature, have been unsuccessful in generating mass support.

Guyana is a developing country with a tri-sectoral economy comprising public, private, and cooperative sectors. The public sector dominates the economy, however, by controlling approximately 80 percent of total productive assets. The state-owned bauxite and sugar industries, along with the partially state controlled rice sector, account for more than 90 percent of total official exports. Believing that economic control is a key to political survival, the Government has been reluctant to give the local private sector a greater role in the economy. The cooperative sector's contribution to the economy is miniscule. Re-emphasizing its commitment to socialism, the People's National Congress declared in April that it would tolerate no "ideological acrobatics."

By tradition and historical circumstance, the Guyanese are a friendly, peaceful people with strong cultural and family ties to Great Britain and North America. Overt antagonism between Afro-Guyanese and Indo-Guyanese has decreased since the vicious race riots of the early sixties. The two principal political parties, however, continue to exploit racial differences for political gain. Though the parties' political leaders court the favor of leading socialist states, the majority of Guyanese perceive these nations as basically alien and unappealing.

The human rights environment has significantly deteriorated over the years from the traditions once respected in Guyana prior to independence and from what is currently observed in most of the English-speaking Caribbean. It has become increasingly clear, moreover, that traditional conceptions of human rights--the integrity of the person and civil and political liberties--are being subordinated to the Government's efforts to remain in power.

In 1982 there was no major deterioration in the human rights climate from that in 1981. On the positive side, judicial independence was asserted in several cases of a political nature in which the Government was defeated. Also, the state-run media exhibited during the year some balance, particularly in addressing government shortcomings and covering the principal opposition party. Negatively, there was strong evidence that torture by members of the government security forces led to the deaths of several prisoners. The economic crisis brought about a decline in essential services, education facilities, and health care.

The human rights prognosis is not favorable as the Government is becoming less and less accountable to the electorate, the constitution, the courts, and other checks and balances associated with democratic traditions.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

According to the Guyana Human Rights Association, 14 individuals reportedly died from police shootings in the 12-month period ending August 31, 1982. The state owned "Guyana Chronicle" reported that several of these victims were shot while committing felonies or while trying to escape capture and detention. However, by other accounts, two of these individuals were shot shortly after being taken into custody.

b. Disappearance

There were no clandestine detentions, abductions, or reported disappearances of a political nature in 1982.

c. Torture

Despite a constitutional injunction against torture, there were several reported incidents of individuals being tortured to death while in police custody. None of these reported killings appeared to have been politically motivated, however. Ramkisson Saymar, held on suspicion of robbery, died on January 18, 1982, from injuries sustained during detention. Chatterpaul Kisson, a convict, complained of a severe beating at the hands of the police prior to his death on July 28. Public hospital doctors reportedly confirmed that beating had been the cause of death. Balkissoon Singh, a prison escapee, was recaptured and died in custody April 1. His body was allegedly found with cigarette burns and other marks of torture. Fellow escapee, Ramhaj Seepersaud, was said to have died under similar circumstances. In the cases of Singh and Seepersaud, the prison director reportedly was transferred, but murder charges against four prison officials were changed to manslaughter, and they were released on bail.

Guyanese authorities have generally not responded publicly to charges of torture and mistreatment. On several occasions, the Minister of Home Affairs or the Police Commissioner indicated that investigations would ensue, but no information on the results of these investigations has been made public. The frequency and detail of these reports and the Government's refusal to follow them up has given credence to the allegations of torture. At the very least the evidence indicates there has been a slippage of discipline among the police ranks and an absence of accountability to civilian authority.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Guyanese prison sentences for major crimes are often light. Corporal punishment is occasionally meted out as part of a sentence. Conditions of detention have deteriorated as a result of the economic crisis in Guyana. The Government admitted in its 1980 report on the Guyana Prison Service (published in 1982) that prison structures were rapidly deteriorating, adding that prison buildings present "grave hazards to health and security of staff and inmates alike." There have also been complaints of juveniles being incarcerated with adult prisoners, leading to sexual abuse of the younger prisoners. There is evidently no unequal treatment of prisoners based on race, religion, or sex.

e. Arbitrary Arrest and Imprisonment

Arbitrary searches and short detentions, particulary of opposition political figures, are relatively common in Guyana. However, lengthy imprisonment in disregard of generally accepted legal norms is not a practice of the Burnham Government. The right of habeas corpus exists and is generally respected. Searches without a warrant and preventive detention for up to three months are authorized under the National Security Act. According to the Constitution, persons arrested or detained must be informed as soon as "reasonably practicable" of the reasons for such arrest and detention. Illegal detentions of several days for interrogation purposes, without formal charges, reportedly occurred in several instances. Searches in homes and public places and short detentions of political figures on specious charges appear to be related more to harassment than to security reasons.

f. Denial of Fair Public Trial

As a member of the British Commonwealth, Guyana still maintains most of the procedures associated with British jurisprudence. Defendants in ordinary civil and criminal cases are generally accorded fair, public trials. Defendants exercise their right to be represented by counsel and are usually presented with charges in a timely fashion. Jury trials have decreased in Guyana since the enactment of the Administration of Justice Act in 1978 and the Criminal Law Act of 1980 which allow a trial without jury for a wide range of offenses. Cases may be appealed to higher courts. Military personnel are tried in military courts. Verdicts in military courts have been successfully appealed in civilian courts. There are no special courts for political or security cases. Judges have complained in 1982 of a decline in court standards which included inconsistent sentencing, poorly written judicial opinions, unprepared attorneys, and absent witnesses and jurors. This sloppiness, criticized in both the government and opposition press, has often led to lengthy delays in the resolution of cases.

There is a perception within Guyana that judicial practice has led and will continue to lead to politically biased decisions by judges and lawyers sympathetic to the ruling party. Some judges maintained their independence as shown by several politically sensitive cases in 1982 which went against the Government. In one, the leader of a small, moderate opposition party was awarded $366 in damages and costs because the Government-owned "Guyana Chronicle" had refused in 1978 to print a paid political advertisement for the party. The court ruled that the plantiff's constitutional right to freedom of expression had been violated.

Other cases, however, raised serious questions about the independence of both bar and bench. Members of several opposition parties were involved in often delayed trials on charges of causing public terror. Nine members of one party were found guilty and fined $66 or sentenced to two months in jail. The Government, however, has not attempted to collect the fines or imprison those found guilty.

One publicized trial in 1982 was that of Bilal Ato, a member of the House of Israel, a pseudo-religious organization run by American citizen David Hill and widely perceived as a private army of the ruling party. Ato was on trial for murdering a Jesuit priest who was photographing a political rally in 1979. Defended by two pro-government lawyers, Ato's charge were reduced to manslaughter, and he received an eight-year sentence. One of the lawyers who defended Ato also acted as state prosecutor in the case of the brother of the late political activist, Walter Rodney. Donald Rodney was found guilty in 1982 of the illegal possession of the explosives used to kill his brother. Rodney was sentenced to eighteen months in prison, but he is free on bail pending appeal.

g. Invasion of the Home

Search warrants are ordinarily issued by magistrates on reasonable belief that a crime may be detected or prevented. The National Security Act allows the police to search for and seize illegal weapons without a warrant "pursuant to any reasonable requirements of public safety and order." In fact, authorities ostensibly searching for weapons have used the act as an excuse to enter and search premises of opposition figures. The People's Progressive Party reported in early February that authorities conducted some fifty searches and arrests of its activists, seizing party membership cards and publications. The Guyana Human Rights Association reported that 115 searches of homes of members of the Working People's Alliance occurred in the period from August 1981 to May 1982.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech and press, in modified form, exist in Guyana, but the overwhelming preponderance of information, political and otherwise, is disseminated by the Government. Little criticism of government policy or of ruling political figures is printed or broadcast by the state media, although some radio phone-in and interview programs allow some criticism. A government and party campaign was launched earlier this year to explain Guyana's economic crisis. Citizens had the opportunity to question government policy, and, for a while, a perceptible increase in self-criticism occurred in the Government's "Guyana Chronicle."

The Government adheres to the "new world information order" and believes that the state-owned media should, above all, serve developmental needs, a concept which has led to suppression and distortion of news, self-censorship, and, at times, direct interference in the news gathering and reporting efforts of official media representatives. For example, government media editors were chastised for printing stories and photos of food lines. Also government reporters were not allowed access to information about government economic programs.

Opposition political groups were allowed to express publicly their viewpoints through press, other publications, and at their rallies, albeit with some hardships. The Government, which centralized the importation of newsprint some time ago, has been frugal in its allocation. Because of a lack of newsprint due to foreign exchange shortages, the Government daily has been reduced to an eight-page edition, six days a week. The opposition "Mirror" continued to challenge in the courts the Trade Ministry's "unconstitutional and discriminatory" refusal to grant it newsprint import licenses. The Government refused four times in 1981 and 1982 to allow the opposition "Catholic Standard" to import donated newsprint, an action in conflict with the Government's assertion that foreign exchange shortages alone have required newsprint restrictions on the opposition press.

At the end of August 1982, government officials, including the President, brought a series of libel suits against the "Catholic Standard," the opposition "Open Word" of the Working People's Alliance, and others for various publications criticizing government officials and policies. The content of the articles in question and the number of lawsuits led many to the conclusion that the suits were intended less to recover damages than to embroil the small staffs of these opposition entities in lengthy litigations.

Opposition pamphlets and articles are produced in Guyana, but all such reproduction efforts must contend with a national shortage of paper and other imported materials. The Government's information policy as well as foreign exchange restrictions have led to a curtailment of a free flow of information from the outside. Films are generally of a non-controversial type and a government censorship board reviews them for moral and political acceptability. Though Guyanese are free to receive printed materials from abroad, the Government normally does not allocate scarce foreign exchange for their import. The anti-government "Caribbean Contact" is sold on the streets, limited quantities of "Time" and "Newsweek" may be found in several locations, and the Voice of America, British Broadcasting Corporation, Radio Moscow, Radio Antilles, and various other shortwave and longwave broadcasts can be heard in Guyana. The British Broadcasting Corporation World Service News is broadcast twice daily over one of the government radio stations.

Publications from socialist states are found in abundance in retail, government, and the People's National Congress and People's Progressive Party bookstores. The Government retains wire service contracts with Associated Press and International Press Service, but these facilities are under the control of the Government's Guyana News Agency, which selectively edits items for distribution to the Government-owned radio and newspapers.

Academic freedom in Guyana does not flourish, although several Working People's Alliance leaders do teach at the University of Guyana, and opposition parties have organized student groups at the university itself. The university's governing council is predominantly comprised of members of the ruling party. In 1982 the council fired a newly appointed instructor primarily because the individual had expressed critical views of the Government.

No media organ was closed in 1982. One opposition newssheet began weekly publication. However, harassment in the form of libel suits, airport searches of journalists, personal attacks in the government-controlled press, and newsprint restrictions have all contributed to the circumscription of press freedom in Guyana.

b. Freedom of Peaceful Assembly and Association

The Government controls freedom of assembly and association. Government permission was extended in 1982 for dozens of political gatherings held by opposition groups. The opposition claimed at times, however, that permission was given at the last minute, and meetings or rallies were allowed only at inconvenient hours. Individuals attempting to march after a June memorial service for Walter Rodney were dispersed by police. Marches by the Government, the People's National Congress, or the latter's affiliates were routinely permitted.

The right of trade unions to organize, negotiate, and strike exists, but with some government limitations. Delegates to the Trades Union Congress annual delegates conference in September 1982 passed a resolution noting the erosion of trade union rights over the last year. Several unions have come out in open protest against the neutralization of the trade union movement by the ruling party. The Congress' Executive Committee is composed primarily of party supporters including members of the President Burnham's cabinet. Several of the 23 unions under the Congress' umbrella are formally affiliated with the ruling party.

While the Congress often appears to be a standard-bearer for trade union rights, its actions belie the image. Collective bargaining for wages, taken out of the hands of individual unions since 1977, has become an exercise of the Government dictating the terms of wage increases to the Congress. While maintaining that workers have the right to strike, the Government has claimed the authority to deem strikes political and to take action to suppress them. No major strikes took place in 1982, but short work stoppages by People's Progressive Party unionists were a regular occurence.

Party and government influence on the trade union movement is widespread, particularly given the Government's control of jobs and the unions' lack of financial resources to support industrial action. At times the Government has interfered directly in union elections or recognition disputes. Dissident union leaders have experienced searches by police as well as personal attacks in the state-run media.

Professional groups by and large do not experience persecution or intimidation. The Guyana Bar Association has maintained its independence from the Government, releasing several times this year press statements protesting government violations of civil rights. Both unions and professional groups maintain relations with recognized international bodies.

c. Freedom of Religion

The Government respects the free exercise of religion in what is fundamentally a religious society. There is no state religion nor restrictions on religious ceremonies or the teaching of religion. There is no discrimination against or persecution of adherents of any religion nor is favor conferred on individuals by virtue of their membership in a religion. Conversion from one religion to another is freely permitted.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Freedom of movement and residence within Guyana are unrestricted except in certain designated Amerindian areas where travelers have to obtain prior government permission to enter. The Government at times has barred opposition members and Catholic missionaries from entering the Amerindian areas. Opposition political figures have occasionally been stopped and searched at police roadblocks.

The Government does not restrict emigration. Observers have characterized the emigration process in Guyana as a government safety valve which allows the dissatisfied to leave rather than to remain behind and press for change. There was no overt persecution or discrimination of intended emigrants even when they were high-level employees of the Government.

Guyanese are free to travel abroad and do travel extensively in North America and the Caribbean. However, the Guyanese economic decline has hampered foreign travel, particularly since the Government was forced to curtail foreign exchange allocations for travelers.

The courts have defended citizens' rights to travel abroad as reflected in the November 1981 decision upholding the right of Rupert Roopnarine, a Working People's Allance leader, to leave the country. Nonetheless, the Government has subjected its opponents to unreasonable searches and delays at the airport. Political opponents have not been denied reentry into Guyana.

The Government encourages repatriation in the hope that returning Guyanese will strengthen the economy, but economic and political conditions have discouraged many Guyanese from returning. There were no reports of Guyanese citizenship being revoked in 1982. No refugees were accepted.

e. Freedom to Participate in the Political Process

For the majority of Guyanese, the opportunity for meaningful participation in the political process has been quite limited. Although people have the right to form political parties, those parties, other than the ruling one, have minimal influence largely because of the tight control over the political environ- ment exercised by President Burnham and a small inner circle of government officials and ruling party members. The concept of paramountcy of the ruling party, the People's National

Congress, has been detrimental to general public participation in the political system.

Under the doctrine of party paramountcy, the Government has become an appendage of the party, and the party employs the apparatus and power of the state to advance its aims. The party has assumed the right to assert its influence and control over many activities of the society, thereby discouraging political dynamics in Guyana. Claiming a mandate from national elections, widely considered fraudulent, the ruling party has subverted and ignored institutional mechanisms ultimately accountable to the governed. The near-eradication of the distinction between government and party has led to an extensive system of patronage in the public sector with the party rewarding its supporters with jobs.

Members of the government security services have also been subjected to party influence, and the services' institutional independence has decreased significantly over the years. With a large percentage of the work force dependent upon the party and government for employment, Guyanese have become reluctant to oppose the state, fearing dismissal, transfer, loss of benefits, or harassment. Political change through the ballot box has proven futile. Though elections for national office have taken place three times since independence, fraudulent overseas and proxy voting, along with government misuse of its control over registration and vote counting, have guaranteed the People's National Congress victories each time.

The ability of the Guyanese to participate politically has also been adversely affected by the Government's strict control of information. Many policies and decisions of national import, decided in cabinet or closed party meetings, if announced, were done so with little or no warning or opportunity for public debate. The safeguards of parliamentary democracy have been also absent with the National Assembly having become essentially a rubber-stamp parliament. The 1980 Constitution sets out a structure for local democratic bodies, but the placement of party loyalists who have been required to take direction from the party in all important matters has further fettered popular involvement. The bombing death of Walter Rodney and instances where force was used to thwart opposition political initiatives have led many Guyanese to assume that the Government will go to any lengths to preserve its power.

The belief that the state security forces have become the private protectors of the ruling party has done more to undermine political activism than any other single factor. Disenchantment, fear, despair, and apathy characterize the attitudes of the majority of Guyanese toward politics. The East Indian majority often complains of having no stake in the political life of the nation. However, these attitudes have not manifested themselves in subversive activities against the government.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Guyana is a signatory to the U.N. International Agreement on Civil and Political Rights, but it has shown little interest in cooperating with international or regional human rights bodies. Guyana's report to the U.N. Human Rights Commission on human rights practices within Guyana, an obligation acquired under the agreement, was submitted in 1982, four years late.

The Commission deemed the report inadequate and incomplete and requested the Guyanese representative to address the Commission's specific inquiries for additional information.

In 1980 the Government permitted an international observer team and other foreign observers to witness the December 1980 elections. Police detained several of the observers for a short time and warned against taking photographs. Amnesty International observers attended the 1980 trials of several opposition members accused of arson and the 1982 trial of Donald Rodney. Amnesty International's liaison officer for Latin America and the Caribbean also visited Guyana in January 1982. Following the death of Walter Rodney in 1980, Amnesty International requested an independent inquiry into the slaying, but the Government has yet to respond. On the whole, the Government is sensitive to its human rights record and reluctant to admit to reported violations or accommodate investigations. Human rights issues receive little attention in the state-run media, with the principal exception of discussions on South Africa's policy of aparthied and the issue of Palestinian rights.

The Guyana Human Rights Association, founded in 1979, is the foremost Guyanese organization which attempts to protect and promote human rights. It does so primarily through the publication of an annual report and periodic press releases describing alleged violations. Its reporting is gleaned mostly from media sources. The Guyana Bar Association also regularly releases statements condemning alleged violations of human rights. In addition, the opposition media actively covers reported violations.

There has been no physical harassment of human rights activists in Guyana, although government leaders and the state media have attacked them verbally. In a December 1981 speech to police officers, the Minister of Home Affairs labeled members of the Guyana Human Rights Association as "hypocrites" and "sheep in wolves' clothing."

The Association and other human rights activists play an important monitoring role. Their efforts have successfully drawn the attention of such external bodies as Amnesty International, Human Rights Internet, and the World Council of Churches Human Rights Office for Latin America to the human rights climate in Guyana.

4. Economic, Social, and Cultural Situation

In recent years Guyana, like many developing, non-oil exporting nations, has suffered negative annual real growth rates. Lower prices for Guyana's principal exports, high prices for imported oil and other essentials, heavy migration, and the management problems associated with a centrally-planned economy have led to both declining productivity and quality of life. In the end, however, the Government bears final responsibility for the state of the economy.

The economic decline of the last several years continued in 1982, with Guyanese suffering from acute shortages or unavailability of imported staples, failing essential services, and rising unemployment--9,000 public sector employees lost their jobs in a general retrenchment. Crime in the form of robberies of food and valuables increased greatly. Prices escalated, too, as consumer goods became scarce. The private sector's viability has become severely impaired by government-mandated import and foreign exchange controls and other restrictive policies.

Guyana's 1980 per capita GNP of $693 was among the lowest in the hemisphere. Low productivity and prices for its principal exports (sugar, rice, and bauxite) caused Guyana's longstanding foreign reserve shortage to worsen noticeably in 1982. This has forced the government to further curtail already reduced levels of imports and investment. According to President Burnham, the economy must be placed on a "war footing" to survive, and, under the circumstances, he said the Government can only attempt to provide the essentials--basic food, basic housing, clothes, water, electricity, transportation, and some entertainment. Though the Government's performance in several of these areas has been poor, the healthful climate and Guyana's own food resources, combined with a low population (793,000 according to the World Bank) and population growth rate (0.5 percent in 1981), have averted epidemic disease and widespread starvation.

Guyana is self-sufficient in tropical vegetables, rice, and many other basic foods, but seasonal crop shortages, inflation, and severe limitations on imported essentials (e.g., wheat, milk) have reduced the variety and quantity of the typical Guyanese diet. Safe water is available to at least 84 percent of the population. Power outages occur three to four times weekly because of poor maintenance and spare part shortages.

Shortages of imported food, paper, and other foreign produced goods have resulted in the formation of a thriving black market. Virtually all Guyanese trade in this parallel economy, but its exorbitant prices are a drain on the disposable income of the Guyanese worker who, nonetheless, is most reluctant to abandon the traditional imported food segment of his diet. Despite a domestic-based calorie supply above minimal nutritional requirements, there were persistent reports of malnutrition in low income families, particularly among children.

The quality of health care declined considerably in 1982. Hospitals and clinics ran critically, at times fatally, low on drugs and other essential supplies. World Bank statistics put life expectancy at 70 years and infant mortality at 45.9 per 1,000 live births. Malaria was generally under control although there were reports of the disease in the interior. Although education is free through the university and though statistics showed a 99 percent primary school enrollment, standards continued to decline. Many school buildings were in poor condition and textbook shortages were acute. Hundreds of teachers left the profession, emigrated, or were laid off. Standardized test scores were reported to be significantly below those of other Caribbean medium developed countries.

The Government conducted its social services, for the most part, in a nondiscriminatory fashion. However, reports suggested that People's National Congress-run food distribution outlets at times gave preferential service to Afro-Guyanese supporters. There were also indications that discrimination favoring Afro-Guyanese occurred in the allotment of government housing and in the disbursement of loans from state-owned banks.

The right to own private property alone or with others was generally protected. The results of the announced intention by the Government's "Land to the Tiller" Committee to take over land unused by its absentee landlords remain to be seen.

Many observers have noted that social and cultural standards have declined in Guyana since independence. The Government itself has launched a "Revival of Standards Committee" with the intention of encouraging courtesy and social decorum. The Commissioner of Police even appealed to firearm owners to assist the police in stopping crimes.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: GUYANA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	4.9	1.3	1.9
LOANS...............	3.2	0.0	0.0
GRANTS..............	1.7	1.3	1.9
A.AID	2.5	1.2	1.7
LOANS...............	1.0	0.0	0.0
GRANTS..............	1.5	1.2	1.7
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	2.4	0.0	0.1
LOANS...............	2.2	0.0	0.0
GRANTS..............	0.2	0.0	0.1
TITLE I-TOTAL..........	2.2	0.0	0.0
REPAY. IN $-LOANS.....	2.2	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.2	0.0	0.1
E.RELIEF.EC.DEV & WFP.	0.2	0.0	0.1
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.1	0.1
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.1	0.1
PEACE CORPS.......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER.............	0.0	0.1	0.1
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	4.9	1.3	1.9
LOANS...............	3.2	0.0	0.0
GRANTS..............	1.7	1.3	1.9
OTHER US LOANS..........	0.0	2.5	0.0
EX-IM BANK LOANS.......	0.0	2.5	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	2.4	62.8	0.0	240.2
IBRD	0.0	23.5	0.0	79.3
IFC	0.0	0.0	0.0	2.0
IDA	0.0	0.0	0.0	28.6
IDB	0.0	38.7	0.0	111.9
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	2.3	0.0	0.0	16.5
OTHER-UN	0.1	0.6	0.0	1.9
EEC	0.0	0.0	0.0	0.0

HAITI

Haiti has had a long and troubled history of authoritarian rule characterized by periods of political instability and human rights abuses. It has been ruled for the past twenty-five years by the Duvalier family in the name of a black populist and national revolution. Following the death of President for Life (1957-1971) Francois Duvalier, his son Jean Claude Duvalier became President for Life (1971-present).

The country is constitutionally a republic and executive authority is vested in the President. The legislature is a unicameral chamber with members elected for six-year terms. The judicial system is not completely independent of the executive branch. In practice, virtually all effective government powers are concentrated in the presidency. During the eight months of each year when the Legislative Assembly is in recess, major sections of the Constitution concerning protection of individual liberties are suspended, and the President is granted full powers to rule by decree.

In 1982 Haiti experienced renewed efforts by Haitian exile groups to overthrow the Government. In January 1982, Haitian exile leader Bernard Sansaricq, a US resident alien, launched an unsuccessful invasion by a small force on Haiti's La Tortue Island which resulted in the death of eight invaders and four members of the Haitian security forces. In March 1982, another group's invasion attempt was stopped within US waters by US law enforcement authorities shortly after the Haitians set out to sea. Both groups were later indicted for violation of the United States neutrality laws, and the first group has been found guilty.

In July 1982, a third exile group of US resident Haitians participated in a shooting incident near the capital city of Port au Prince, in which an American citizen was wounded by gunfire. In August, the Haitian Government arrested about 16 business people for questioning about this latter incident, holding some without charges for up to three weeks before releasing them. This was in violation of Haitian law which provides that arrestees be charged or released within 48 workday hours of their arrest. An additional four individuals were arrested and held without charge for several days to two weeks for questioning about the authorship and circulation of an anti-government tract and threatening phone calls to Haitian government officials.

Civil and political rights are severely restricted in Haiti. Public criticism of the Government is not generally permitted. The two political parties established in 1979, the Haitian Christian Democratic party and the Haitian Social Christian party, have not functioned since 1980. In 1980, the Haitian Government arrested approximately 50 individuals and expelled 16 others of its critics for various charges of conspiracy and subversion. All oppositionists arrested in 1980 have subsequently been released. There are now 10 individuals still in detention for political or security related reasons.

In 1982, Haiti took several potentially significant steps toward improved observance of human rights and political liberalization: a National Human Rights Commission was established; a law was promulgated providing for municipal elections, the first of which is anticipated for 1983; an invitation was extended to members of the Haitian exile community to return to Haiti; and two retrials of political prisoners were held in August 1982. The fairness of these trials was criticized by international observers. The defendants were found guilty and were given the maximum sentences possible under the law. However, the defendants, consisting of the 22 members of Sylvio Claude's Haitian Christian Democratic Party and three other oppositionists, were accorded presidential clemency and released from detention in September 1982.

Haiti has permitted visitors from the International Red Cross, the UN Human Rights Commission, and members of the United States Congress to visit its political prisoners and has responded positively to suggestions for improvement of their conditions.

Since the 1971 assumption of office by President Jean Claude Duvalier, Haiti's human rights situation has gradually improved, despite setbacks such as those that occurred in 1980. The long term trend is toward slow improvement, particularly in those areas governing protection of individual liberties.

Over the short term, Haiti's commitment to human rights and political change will be demonstrated by the implementation of the reforms announced in 1982, as well as the reaction to potential security threats against the state.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killings

In the wake of the January 1982 invasion attempt, the Government announced that all eight invaders were killed in action or died of their wounds. There were, however, reports that at least some of the eight invaders died after being captured by government forces. In September 1982, several armed Haitian soldiers engaged in a confrontation with a few members of the civilian militia in Port au Prince. During the ensuing gunfire, three civilian spectators were reported killed and others wounded. The soldiers were arrested and the Government has opened an inquiry into the case. Aside from these incidents, there were no reported killings for political reasons in 1982.

b. Disappearance

There were no disappearances during 1982, although, in some instances, the police failed initially to inform family members of an individual's arrest. The police ordinarily, however, do not refuse to confirm an arrest if inquiries are made. There have been no long term or permanent disappearances in recent years.

c. Torture

A few cases of beatings by police authorities were reported by prisoners or those interrogated for suspected crimes in 1982. There were no substantiated allegations of more sophisticated forms of torture during 1982.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Beatings, a traditional practice in Haitian jails, continued to be administered in 1982 in connection with the interrogation of some suspects or the punishment of prisoners violating prison discipline. The Government has not taken effective measures to eradicate the practice of beatings. Two of the 20 individuals arrested for questioning on August 1982 were reportedly beaten during their interrogation; another had his head shaven. Physical facilities, medical care, and diet in prison facilities are generally satisfactory. Lesser offenders may be visited by family members, who may also bring them food, but persons considered dangerous by the Government may receive no mail and few if any visits. In May 1982, the Government enacted a decree mandating improved physical conditions for political prisoners and prohibiting hard labor.

e. Arbitrary Arrest and Imprisonment

Of 52 individuals identified as political prisoners by an international agency in 1981, there are currently 10 remaining in detention. Four of these prisoners were admitted members of a 1981 guerrilla incursion into Haiti; they have not yet been brought to trial. The other six, some of whom are members of the civilian militia ("volunteers for national security"), are being held on a variety of charges but have not been brought to trial.

Habeas corpus exists mainly in principle. According to the Haitian Constitution, arrests must be based on a formal charge of a violation of law and must be followed by an appearance before a judge to rule on the validity of the charge within 48 hours. This provision is often not followed. Although not specifically defined by law, open-ended preventive detention exists.

f. Denial of Fair Public Trial

Haitian courts held trials and retrials for political and criminal offenders during 1982, although some defendants often remain in prison for months without being charged or brought to trial as provided by law. Defendants have the right to counsel, although in some instances counsel may not meet with the defendants until several days prior to the trial, as was the case during the August 1981 trial of oppositionist Sylvio Claude and 25 of his associates. Similarly, according to Haitian practice, formal charges may often not be made until several days prior to the trial.

In March 1982, the Haitian Supreme Court overturned the convictions of Sylvio Claude, 21 of his associates (four others were earlier released from prison), and three other prisoners, known as the St. Marc group, on the ground that their original trials, in 1981 and 1980 respectively, contained technical and procedural irregularities including inappropriate sentencing. Both groups were later retried on charges of conspiracy in August 1982 and were represented by counsel appointed by the private Haitian Human Rights League. The trials were open and in accordance with Haitian legal procedures. Defendants were found guilty and sentenced to prison terms which, although less than the original sentences, were the maximum permissible under the law. International observers contended that the state failed to prove its charges and that the marathon nature of the trials (extending 21 hours for the Sylvio Claude trial) brought into question their fairness. Questions also were raised about the independence of the judiciary. In September 1982, the Sylvio Claude group and St. Marc group prisoners were granted presidential clemency and released from prison.

There are no separate political courts. Political offenders have been tried in the civil criminal courts. Military courts are reserved for members of the military. All defendants have the right to appeal court verdicts to the Haitian Supreme Court, as successfully demonstrated by the Claude and St. Marc retrials. The judicial system is not completely independent of the executive branch.

g. Invasion of the Home

Contrary to legal safeguards, there was one reported invasion of the home in 1982 in connection with the investigation of the Tortue invasion.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Haitian Constitution provides for freedom of speech and press but in practice these freedoms are greatly circumscribed. The 1980 press code remains unchanged and retains serious restrictions. A formal requirement (which cannot be met by daily newspapers) states that all publications be submitted to the censors 72 hours in advance; the licensing of press credentials, including foreign journalists, is required by the Ministry of the Interior; and material critical of the president or his family is prohibited. Opposition viewpoints have not been freely ventilated since the 1980 Haitian Government crackdown on its critics, many of whom were well known journalists and broadcasters who went into exile or were jailed. Haitian media more commonly employ a form of "self-censorship", and from fear of reprisals voluntarily omit political opposition viewpoints, and refrain from direct criticism of the Government and senior officials.

b. Freedom of Peaceful Assembly and Association

This freedom is severely curtailed in Haiti. Communists and other left-wing groups are prohibited from organizing and groups not registered with the Government are limited to public assemblies of fewer than 20 people.

Haiti's urban unemployment is estimated at 40 to 50 percent of the job-seeking population in Port au Prince. Less than one percent of this work force is unionized. Little in the way of trade organization or collective bargaining exists, and strikes are extremely rare. There are approximately 20 small unions. Unions must obtain recognition from the Ministry of Social Affairs and conform to the labor code which provides for a direct government role in labor disputes. Labor union activity decreased with the 1980 expulsion of leaders of the Centre Autonome des Travailleurs Haitiens which was Haiti's only independent labor forum. No other groups have encountered any government harassment, and professional bodies are permitted to maintain relations with recognized international bodies in their fields.

Recently, the International Labor Organization conducted an investigation into the treatment of Haitian sugar cane cutters recruited to work in the Dominican Republic. Its initial findings were that Haitian laborers in the Dominican Republic were treated harshly and sometimes not in accordance with Dominican law or the relevant bilateral agreement between the Governments of Haiti and the Dominican Republic.

c. Freedom of Religion

Roman Catholicism is the official religion. Voodoo, the local religion, is widely practiced. All other religions are freely practiced and there is no religious discrimination.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Government does not impede domestic movement. A number of individuals, for political reasons, including some persons questioned in August 1982, are forbidden to leave the country. A law has recently been enacted which will allow married women to leave the country without the written authorization of their husbands, which was the previous legal requirement. Foreign travel requires a passport and exit visa which together can cost up to $97. Those who leave illegally may be subject to fine or imprisonment. However, as noted below , persons repatriated from the United States and other countries are not prosecuted for their illegal departure. The Government recently extended an invitation to Haitian exiles to return to the country and announced that its overseas consulates will issue re-entry visas to any Haitian who wishes to return to Haiti.

In September 1981, the Governments of the US and the Republic of Haiti signed an accord to establish a program of bilateral cooperation to stop the illegal migration of Haitians to the United States. An estimated 800,000 Haitians left Haiti over the past 20 years, primarily in search of better economic opportunities. During 1982, the deterrent effect of the bilateral agreement, the detention policy in the United States for illegal migrants, and the efforts of the Haitian Government to control illegal trafficking in emigrants resulted in a drastic reduction in undocumented migration via boats from Haiti to the United States.

The Haitian Government pledged that returning illegal migrants would not be subject to prosecution or harassment for their illegal departure. Regular follow-up interviews with returnees have confirmed they have suffered no harassment or prosecution by the Haitian government. The Government is currently exploring with the International Committee on Migration a feasibility study on the potential legal migration of some Haitians to Belize.

e. Freedom to Participate in the Political Process

Political participation in ruling Haiti is limited to a small group of people associated with President Duvalier. In accordance with the Constitution, President Jean Claude Duvalier was designated as President by his father and predecessor, Francois Duvalier. He was subsequently confirmed as Life President in a national referendum. The last elections for the unicameral legislature were held in February 1979. Some observers claimed those elections were manipulated by the Government. The two newly formed political parties, Haitian Christian Democratic and Haitian Social Christian, played minor roles in 1979, but were effectively put out of business after November 1980. One independent deputy was elected, although he and the remaining members of the legislature are all supporters of the Government. A new Haitian election law which was passed by the National Assembly in August 1982 and signed by President Duvalier in November 1982, establishes procedures for elections to the National Assembly, Municipal Councils and rural Administrative Councils. Under the new law, voting and electoral procedures are solely conducted by civilians, in contrast to the previous Haitian practice of having the military conduct all elections. The law provides for a voter registration mechanism, secret ballot and the establishment of voting administration boards. Voter registration bureaus are charged with registration of voters, maintenance of permanent electoral lists and registration of candidates for each election. The new law paves the way for the holding of municipal elections in 1983, the first such elections since 1957.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The United Nations Human Rights Commission (UNHRC) appointed a special rapporteur on Haiti in 1981 who subsequently visited Haiti in 1981 and 1982 to observe the country's human rights situation. The special rapporteur reported that Haitian officials had provided full and forthcoming cooperation with his mission. A 1982 visit by representatives of the United States Congress confirmed that conditions in Haiti's jails and prisons have improved, and that political prisoners have been treated reasonably well. Recommendations regarding prison conditions made to the Government by the UNHRC have been studied by Haitian officials and improvements continue to be made. The Inter-American Human Rights Commission critized the Government of Haiti in its 1981-82 report for inadequate cooperation. The Government of Haiti has permitted embassy officers freedom of travel during 1981-82 throughout the country to investigate the treatment of returning migrants.

The Government participates in international and regional human rights bodies, though it has not taken an active role in these meetings. It permitted international human rights bodies, including Amnesty International and the Lawyers Committee for International Human Rights, among others, to observe two trials of political prisoners in August 1982. It has also allowed international journalists freedom of travel and the same rights to observe trials of the political prisoners.

The Haitian Government established a National Human Rights Commission in 1982 to act as a consultative and advisory body to the Government on human rights affairs. The nine members of the autonomous Commission were installed in a public ceremony on November 11. The private League of Human Rights continues to monitor individual human rights. It appointed lawyers to represent political oppositionists at their 1982 trials, and sent a delegation to visit the former prisoners after their release.

Following a two-year absence from active participation after the Government's crackdown on its critics in 1980, the private Human Rights League has taken a more public role, through increased dialogue with the Government, publication of its views in the media, and an active recruiting campaign. Its role does not appear to conflict with that of the National Human Rights Commission. The Government has not entered into dialogue with external non-governmental human rights groups.

Several international, non-governmental organizations have commented on the Haitian human rights situation. Amnesty International's 1982 report, covering 1981, stated that the organization's concerns "focused on the continuing detention of prisoners of conscience, detention without trial, irregular trial procedures in political cases, and allegations of ill-treatment of political detainees." Freedom House's 1982 report classified Haiti as "Not Free."

4. Economic, Social, and Cultural Situation

Haiti is the poorest country in the Western Hemisphere and one of the least developed countries in the world. It has limited natural resources and severe deficiencies in infrastructure. Agriculture employs at least 70 percent of the population. Intense pressure on land resources has resulted in destruction of the forest cover on hillsides unsuitable for cultivation--while only 30 percent of the land is considered arable, about 50 percent is actually cultivated. Average plot size is about three acres which is too small for most modern farming methods. Many peasants do not enjoy clear title to their land, which impedes significant capital improvements. The World Bank and AID estimate that 78 percent of the rural and 55 percent of the urban population exist below the absolute poverty level. Coffee, essential oils from vetiver, and mangoes are the primary agricultural exports.

The industrial and commercial sector is relatively small and heavily concentrated in the Port au Prince area. The availability of investment capital is limited by banking practices; overseas hedging results in capital flight. There are a few medium-sized basic industrial plants, and over 200 firms engaged in assembly or light industrial transformation have initiated operations, providing approximately 60,000 jobs. There are about 3,000 kilometers of roads, of which about 600 would be considered as first class. Many regions of the country are accessible only by four-wheel drive vehicle.

Infant mortality is estimated at 130 per 1,000 live births and is increasing in urban centers. Hospitals are rudimentary, and life expectancy is 53.2 years. Many Haitian children have no access to schooling. During the past six years, the Government, with international donor assistance, has been engaged in extensive school construction. The World Bank and AID estimate that 62 percent of Haitian children had access to primary schooling in 1978, but less than four percent of those who started primary school finished.

In 1978 the adult literacy rate was estimated at 23.3 percent. Social services are severely limited outside the capital city. Sanitation facilities are virtually non-existent and illnesses are easily spread by the lack of access to safe water of 93 percent of rural inhabitants. Family planning programs are gaining greater acceptability and the population growth rate was estimated at 2.6 percent in 1980.

Agricultural productivity has been declining, as plots are subdivided into even smaller pieces and increasingly unsuitable slopes are brought under cultivation. Port au Prince and other urban areas are experiencing abnormally rapid growth (7-10 percent) because of rural flight to the cities. Urban living conditions are worsening as a result. There is a housing density of approximately two persons per room and sanitation facilities are poor with only 12 percent of the urban population having access to safe water. There is an increasing problem of urban unemployment. No precise figures on this can be obtained, but the Haitian Department of Information estimates that 41 percent of those seeking work cannot get it.

The economy is also facing serious problems common to other Caribbean countries. These include approximately 10 percent domestic inflation, capital outflow, shortfalls in government revenue, and increased costs for petroleum and other critical imports. During 1982, the gross national product was about $1.5 billion, with very little growth. The average per capita income is about $330 per year, although in some rural areas it is below $150.

Although the Government has been the beneficiary of substantial amounts of outside assistance since 1973, the per capita value has been well below that of most aid recipient nations in the hemisphere. Only token amounts of foreign assistance and disaster relief were provided between 1963-73. Foreign assistance to Haiti in 1982, from all official sources, amounted to about $120 million, (including about $44 million from the United States), most of which was directed toward improvements in agriculture, education, health, and transportation.

A substantial portion of total US assistance to Haiti is channelled through private and voluntary organizations. Efforts of the United States and other donors to bring about administrative reform, budgetary control, and tighter reins on diversion of government funds have begun to meet with limited success. The Haitian Government has continued to execute a program of greater fiscal and economic reform measures recommended by international financial institutions. Under the International Monetary Fund program the Government has begun to curb previous fiscal practices which had undercut Haiti's development efforts in 1981 and had eroded its solvency and foreign exchange position. Centralization of budgetary accounts and revenues has taken place. The Government has, with outside help, completed the northern and southern highway, many secondary roads, clinics, schools, the electrification of a number of provincial cities, and the extension of the telephone system. With AID assistance, it is expanding secondary roads through a large labor intensive construction program.

The minimum wage is $2.64 per day. Employers outside of Port au Prince are supposed to pay transportation expenses up to 28 cents per day for commuting workers. There are, however, many workers for whom the minimum wage does not apply and who have difficulty in earning enough to provide for their basic needs. In rural areas, the day wage for farm labor ranges from 60 US cents to $2. While there is a government social security plan, few Haitian urban workers are covered and no rural workers are covered.

For many Haitians, economic opportunities lie only outside the country. Until the United States and Haiti concluded the agreement on interdiction of illegal Haitian migrants in 1981, thousands migrated illegally to the Bahamas and the United States; it is estimated that 20,000 illegal migrants arrived in the US in 1980. As many as 80,000 migrate seasonally each year to the Dominican Republic to work as sugar cane cutters.

The Haitian Constitution gives equal rights to men and women. Under a recently enacted law, a married woman no longer forfeits the right to manage her own property, is no longer required to live in her spouse's residence, and is no longer required to have her husband's permission to obtain an exit visa. Qualified Haitian women have access to most jobs, including government appointments. They receive wages in general equal to those received by their male counterparts. Although 54 percent of the economically active population is female, they are concentrated in nonskilled occupations. Lack of education bars women from access to the better job opportunities.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: HAITI

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	27.1	34.6	34.3
LOANS...............	8.6	8.6	13.0
GRANTS..............	18.5	26.0	21.3
A.AID	11.1	9.2	12.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	11.1	9.2	12.0
(SEC.SUPP.ASSIST.)...	1.0	0.0	0.0
B.FOOD FOR PEACE........	15.8	24.5	22.2
LOANS...............	8.6	8.6	13.0
GRANTS..............	7.2	15.9	9.2
TITLE I-TOTAL..........	8.6	8.6	13.0
REPAY. IN $-LOANS.....	8.6	8.6	13.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	7.2	15.9	9.2
E.RELIEF.EC.DEV & WFP.	1.3	2.1	1.4
VOL.RELIEF AGENCY.....	5.9	13.8	7.8
C.OTHER ECON. ASSIST...	0.2	0.9	0.1
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.2	0.9	0.1
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER.............	0.2	0.9	0.1
II.MIL. ASSIST.-TOTAL...	0.1	0.4	0.5
LOANS...............	0.0	0.3	0.3
GRANTS..............	0.1	0.1	0.2
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.3	0.3
C.INTL MIL.ED.TRNG....	0.1	0.1	0.2
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	27.2	35.0	34.8
LOANS...............	8.6	8.9	13.3
GRANTS..............	18.6	26.1	21.5
OTHER US LOANS..........	0.0	0.8	0.8
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.8	0.8

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	9.8	12.7	22.7	340.4
IBRD	0.0	0.0	0.0	2.6
IFC	0.0	3.2	0.0	3.2
IDA	0.0	0.0	0.0	110.0
IDB	4.1	9.1	17.6	181.7
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	3.7	0.4	0.0	29.2
OTHER-UN	2.0	0.0	5.1	13.7
EEC	0.0	0.0	0.0	0.0

HONDURAS

In January 1982 Roberto Suazo Cordova was inaugurated as the first constitutional president in Honduras in nearly ten years. The inauguration was the culmination of a transitional political process initiated in April 1980 with the election of a constituent assembly. General elections were held in November 1981, from which Dr. Suazo and the Liberal Party emerged with clear majorities for the presidency and the national congress. The elections were praised for their honesty by a wide range of observers. The Suazo regime has continued Honduras' improving record of respect for the rights of freedom of religion, speech, assembly, movement, and travel. The Honduran military remains a power and retains considerable influence in the background.

The return of democratic rule coincided with a period of serious political conflict in the Central American region, some of which has spilled over into Honduras in the form of externally-controlled terrorism. In 1982 Salvadoran guerrillas collaborating with Honduran leftist terrorists carried out several terrorist acts in major Honduran cities far from the Salvadoran border, including a domestic airline hijacking, bombing several US and Salvadoran business offices in Tegucigalpa in August, and taking 100 business and government leaders hostage in the San Pedro Sula Chamber of Commerce building in September. Other terrorist activity has included a series of bank robberies early in 1982, kidnappings of several prominent personalities, including the 16-year-old granddaughter of one of Honduras' leading publishers, and the assassination of that same publisher's son on the eve of Dr. Suazo's inauguration. During the year, Honduran police uncovered a number of safe-houses directly associated with Salvador's Farabundo Marti National Liberation Movement (FMLN) and containing important stocks of weapons, clandestine radio transmission equipment, and so-called people's prison cells.

The year 1982 was one of transition for the extreme left, moving from an earlier strategy of an "Oasis of Peace" for Honduras to one of preparing the ground for local revolutionary violence in collaboration with Salvadoran and Nicaraguan Marxist revolutionaries. In addition to terrorist activity, elements of the extreme left have unsuccessfully sought to provoke civil strife and conflict between the government and key social groups such as school teachers.

The Suazo government has dealt firmly with terrorist situations; nonetheless it has handled specific incidents with patience and restraint. Hostage incidents have been resolved without harm to the victims and the vast majority of terrorist suspects have been dealt with through the judicial process. There also have been incidents in which the poorly-trained public forces have abused their authority and there are credible allegations of extra-judicial action against terrorists. But there is no evidence of systematic violation of judicial procedures, and the Honduran Government has taken action to discipline police who violated legal procedures.

Since January, 1982 the Suazo Administration has been grappling with Honduras' serious and endemic economic and social problems -- illiteracy, poverty, malnutrition, and inadequate health care. Some progress has been made on these problems.

In addition to the growth of externally sponsored and coordinated terrorism within the country, Hondurans have expressed increasing concern about the military build-up in Nicaragua. Nicaraguan armed forces are twice the size of Honduras', not counting the growing Nicaraguan militia. The presence of over 2,000 Cuban, Soviet, Eastern European, and Palestinian Liberation Organization military advisors in Nicaragua is another source of concern for Hondurans. Most Hondurans are particularly concerned about this military build-up on their border because they believe that the Sandinista regime in Nicaragua has an active interest in weakening democratic Honduras and hurting its image through a combination of subversion, military intimidation, and malicious propaganda.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

During 1982 there were some ten incidents in which bodies of murdered persons were found in remote areas, but for which government investigations failed to establish responsibility. Political and labor organizations and Government officials have variously attributed the murders to vendettas among left wing groups, criminal action, or the police, but no evidence has been forthcoming to substantiate any of these allegations. There is evidence that Government authorities act to punish security and military personnel guilty of abuse of authority. For example, in a case in which an American citizen working with refugees was abused by military authorities while her colleague, a Guatemalan physician, was killed, five soldiers were arrested and are facing trial in a military court. Allegations that death squads have made their appearance in Honduras have not been substantiated.

b. Disappearance

One local human rights organization alleges that twenty-two Hondurans have mysteriously disappeared in Honduras in 1982. The organization attributes the majority of the disappearances to the police or the police investigative branch. Amnesty International's 1982 report, covering 1981, noted "increasing reports" of disappearances. The Government has consistently denied any involvement by security services in these cases. However, there have been occasions in which persons, whom the Government denied detaining, have been later released.

c. Torture

There have been reports in the press and by local sources of the use of torture by local police forces during interrogation. Honduran officials assert that it is a common practice for persons held in connection with politically-motivated crimes to allege that they were tortured during the investigation and interrogation process. Such cases are difficult to substantiate, especially since some victims claim they were released on condition that they talk to no one about the alleged torture. The Honduran Government has shown sensitivity to these charges, as indicated by removal of some police officials accused of abuse of detained persons. A new Investigative Branch Chief in San Pedro Sula publicly pledged in October 1982 not to use inhumane interrogation techniques. Torture is specifically prohibited by the Honduran Constitution and by criminal legislation. While there may be individual instances of prisoner abuse, it is not sanctioned by the Government. The Honduran Armed Forces Chief of State Gustavo Alvarez recently issued a public statement denying that the government used torture and specifically stated that torture was not to be used on prisoners.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

There were allegations during 1982 of summary executions of habitual criminals by the police. The Government of Honduras denied these allegations. The Honduran Constitution specifically prohibits capital punishment. The Honduran press continues to report freely on allegations of mistreatment by local police. The use of unnecessary force and brutality during the arrest process is sometimes alleged. Evidence for all of these charges is largely circumstantial, although there may be individually verifiable cases. Members of the police are subject to dismissal for abuses against the public. In the second half of 1982 a number of police sergeants and transit police were dismissed for abuse of authority, including ten in one week in San Pedro Sula. In serious cases, police have been arrested. With few exceptions, jail conditions are poor. Access to prisoners is generally not a problem for relatives, attorneys, consular officers, or international humanitarian organizations. On occasion, press visits are allowed.

e. Arbitrary Arrest and Imprisonment

Legal guarantees exist against arbitrary arrest or imprisonment, and against torture or degrading treatment. Habeas corpus is guaranteed by the Constitution and Honduran law provides for arraignment within 24 hours of arrest. This appears to be the standard practice, although hearings are often delayed due to administrative backlogs. However, there have been some verified recent accounts of Honduran citizens being detained by local police forces for periods of a few hours to a week without warrants. When there is reasonable indication of an offense, Honduran legal procedures permit the judge to hold a person for up to six days for questioning before determining if formal charges are warranted. If the judge determines there is sufficient evidence, charges are specified in a court order. The individual may then be held pending further investigation. Bail is allowed in many cases.

Some civilian and military officials have expressed dissatisfaction with the leniency of release procedures established by the code of criminal procedure for dealing with both terrorist and common criminal cases. Because of these frustrations the police have sometimes held suspected criminals, particularly terrorists, for extended periods without presenting them to the court. In May, the National Congress passed a law to provide the law enforcement authorities with the authority to arrest persons accused of terrorist acts such as hijacking. The penal code, which dates from 1906, had not adequately dealt with these modern crimes. Some civilian and military officials have expressed dissatisfaction with the leniency of release procedures established by the code of criminal procedure for dealing with both terrorist and common criminal cases. Because of these frustrations the police do sometimes hold suspected criminals, particularly terrorists, for extended periods without presenting them to the court. Conversely, there have also been recent cases in which persons, whom there is substantial reason to suspect of terrorist activity, have been released for lack of admissible evidence. By international standards, judicial procedures for dealing with crime of all sorts, including terrorism, are cumbersome and maximum penalties for certain offenses are lenient.

f. Denial of Fair Public Trial

Access to legal services usually varies with the socio-economic standing of the litigant. Inordinate delays are frequently encountered in the administration of justice, and the system is overburdened. With all of its problems, the judiciary does act, and it maintains substantial independence from the executive and legislative branches of government.

g. Invasion of the Home

Sanctity of the home is guaranteed by the Constitution and generally observed. There reportedly have been incidents in which security forces searching for terrorists have searched homes without the proper judicial authorization. Policemen have been dismissed during 1982 for abusive behavior during house searches.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech and the press are respected. The press plays a strong role in the defense of constitutional liberties. There is no censorship of the media, although books and other materials are sometimes confiscated from travellers returning from communist countries. These confiscations have often been vigorously denounced in the press. No incident of official interference with the media has been recorded for several years. The Honduran press conducts a lively national debate free of government control. The media criticize both government programs and civilian and military leaders frequently and freely.

b. Freedom of Peaceful Assembly and Association

Restrictions imposed since 1972 on freedom of peaceful assembly and association for political parties were lifted in early 1980, and party activities have since continued without interference. A number of small radical groups, including the Honduran Communist Party, exist and are tolerated. The revised electoral law passed in 1981 was an effort to encourage all political groups to participate in the electoral process. It has made access to the ballot easier. Student, worker, peasant, and other interest groups have full freedom to organize and hold frequent public demonstrations without interference. The Honduran populace is among the most organized in Central America and has strong labor, cooperative, and sectoral movements.

Honduras has a long tradition of effective and democratic trade union activities. The labor movement is highly developed and well organized, and has a history of delivering broad services to its constituency. Trade unions are not hindered by the Government, which is charged, both by the Constitution and by legislation, with promoting free trade union development. Trade unions and their federations provide members with training opportunities, advisory services, and health and housing benefits. The usual reasons for strikes are economic, not political. Although unions are guaranteed the right to organize and bargain, the Honduran labor code includes a cumbersome procedure of negotiation and arbitration which must be followed before a union may strike legally. As a result, some strikes have been declared illegal because unions have not followed these procedures. Subsequent agreements generally render these declarations of illegality moot.

c. Freedom of Religion

There is no state religion although Catholicism is the most widely practiced religion. Complete freedom of religion is respected with all groups allowed to function freely.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

These rights are respected in Honduras. Previously-existing restrictions on travel to and from El Salvador were lifted in the aftermath of a peace treaty (settling the 1969 war), signed in December 1980. Largely as the result of its democratic institutions and its political stability Honduras has become the destination of tens of thousands of refugees from neighboring countries who are fleeing the effects of guerrilla insurgencies in Guatemala and El Salvador and Government oppression in Nicaragua. Starting in 1980, Salvadorans began seeking refuge in Honduras from the conflict in Salvador. In late 1982, 16,000 Salvadoran refugees were receiving UN High Commissioner for Refugees assistance in Honduras. There are two main Salvadoran refugee camps. Refugees who were located in the La Virtud area along the Salvadoran border have been relocated to Mesa Grande which has a population of more than 9,000. Colomancagua located near the Salvadoran border has more than 7,000 refugees. UNHCR is planning to relocate those refugees in Colomancagua further inland to comply with UNHCR's worldwide requirement that refugees who receive assistance must be housed at a substantial distance from a disputed border. In the Mosquitia region of Honduras there are more than 12,000 Nicaraguan Miskito Indians who have fled Sandinista repression. More than 9,000 are in Mocoron awaiting relocation to sites along the coast and along the Rio Patuca. As many as 5,000 Nicaraguan non-Indian refugees have also fled Nicaragua in the past year. Some 3,000 of these are located in the Danli, El Paraiso area of Honduras. There is also a small contingent of about 600 Guatemalan refugees on the Honduran/Guatemalan border.

Honduras continues to welcome refugees from neighboring countries despite the economic and administrative burdens involved for one of the poorest countries in the hemisphere.

e. Freedom to Participate in the Political Process

The inauguration of President Suazo and the National Congress in January 1982 was an important event in the return to democratic, constitutional rule. The Government had been operating under military rule since December 1972. The process began with constituent assembly elections in April 1980. In the November 29, 1981 elections about 1,200,000 voters, a turnout of slightly over 80 percent of registered voters, freely elected a president, congress, and local officials under the terms of a revised constitution. Throughout 1982 the democratic process continued, as the opposition Nationalist Party prepared for nationwide internal party elections in late November and the liberals began campaigning for their party elections in 1983. Political parties, labor unions, trade organizations and other interest groups are free to organize and articulate their positions, and do so. Political parties and interest groups continue to have access to the media. The military play an important de facto part in the political process.

While no parties are formally banned, only those which are legally recognized may appear on the ballot. Recognition is granted upon completion of a process provided for in the electoral law. Extreme left political groups, including the Communist Party, participated in the 1981 election as part of a coalition.

A sizable indigenous Moskito and black population enjoy full political freedoms. Although there are now several women members of the National Congress, as well as one cabinet minister, women in general do not play a major role in the political process.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Honduras was one of the first countries to ratify the Inter-American Human Rights Convention. The Honduran Government cooperated fully with a 1976 Amnesty International investigative mission, as well as with one which visited in 1979 to look into the camps set up for refugees from Nicaragua's civil war. During 1981, two groups representing Amnesty International visited Honduras to look into reports of arbitrary arrest and detention, torture, and disappearances of Honduran and foreign nationals. In 1982 Honduras received many church and other groups who came to Honduras to review its human rights record. These groups were received by government leaders and no restriction was placed on their access to private individuals of any area of the country. In its 1982 report, Freedom House characterized Honduras as "free."

4. Economic, Social, and Cultural Situation :

Honduran per capita gross national product is approximately $561. During the period 1976-79, the country enjoyed a growth of real gross domestic product averaging 7.5 percent per annum. Agricultural export gains resulting from high international commodity prices and expanded production were the most dynamic factors spurring the increase. However, during 1980, real growth dropped sharply to 2.5 percent, and this downward trend continued during 1981 and 1982. In 1981 real growth was .3 percent; 1982 probably saw negative real growth; only slight recovery is forecast for 1983. Disappointing export performance, related in part to falling coffee prices, soaring petroleum costs, and a severe shortage of credit, together with a large domestically financed budget deficit, explain the decline.

Agriculture is the mainstay of the Honduran economy. Historically, bananas dominated, but in recent years there has been considerable diversification of export crops. Since the late Seventies, coffee has vied with bananas as the principal foreign exchange earner. Coffee production is distributed among over 45,000 families, most of whom are small landowners. Meat, lumber, sugar, minerals, cotton and tobacco are other important exports.

About 62 percent of the population lives in rural areas. Most are small farmers producing at little more than subsistence level. Agrarian reform laws passed in 1962 and 1975 were originally implemented with relative success. Although more than 30,000 families were resettled on agrarian reform land during the mid-Seventies, implementation of the program slowed in the late Seventies. The Suazo Administration is renewing the agrarian reform effort with emphasis on giving title to small land holders.

Agrarian and labor unrest, with attendant land or building occupations, have historically been a frequent source of tension in Honduras. Pressure tactics, including protests, marches and land invasions have been used by peasant groups to force more rapid implementation of agrarian reform laws, and by urban squatters to press a claim to empty lots. Honduran civilian and military officials seek, generally successfully, to handle agrarian, urban and labor incidents without violence and in most cases resolve land invasion cases through existing legal remedies, which may involve awarding the same or equivalent land to the occupiers. The anti-terrorism law passed in May 1982 provided for imprisonment of land invaders who destroy property. Immediately after passage, there were incidents in which peaceful invaders were arrested under this law, but all have subsequently been released and there have been no recent incidents of this type of arrest.

Despite the economic progress achieved in recent years, Honduras has many problems to overcome, including a 43 percent illiteracy rate, malnutrition (calories supply only 89 percent of nutritional requirements), inadequate health care, and a population growth rate approaching 3.5 percent. Life expectancy at birth was 58.3 years in 1980; the infant mortality rate was 118 per 1000 live births in 1981. Total population was 3,779,000 in 1981.

Honduran Governments have been relatively ambitious in addressing the country's social and economic concerns. Government expenditures for economic and social development in agriculture, education and health have increased substantially in recent years and in 1979-82 represented about 40 percent of the total budget. In contrast, defense (including police and security forces) accounted for only 7 percent of the budget. Under the present five year plan (1979-83), investments are being made in basic infrastructure, including transportation, communications and energy, as well as health, education health care delivery and agrarian reform. The Ministry of Health continues a program begun in 1975 to extend basic health services to the rural area. Primary education is provided to an estimated 54 percent primary school-age children, although a high percentage of these never finish primary or begin secondary school. Only about 56 percent of the population can read and write. About 41 percent have access to safe water.

Honduras is addressing its economic and social needs on a non-discriminatory basis. The major thrust of government programs in recent years is to improve the economic situation of the subsistence level campesinos and urban workers, who are the majority of the population. This initiative enjoys the wide-spread support of the population. There is no legally sanctioned racial or sexual discrimination. The Labor Code provides specific protection for women and minors, particularly pregnant and nursing women. By tradition and custom, most women participate in activities involving the home. Women aged 15 to 60 constitute 18.4 percent of the labor force. Based on 1974 census data, outside of the agricultural sector, women most often are employed as domestic servants, clerical workers, itinerant or market vendors, and in food processing or other manufacturing. In public service there are now several women members of the National Congress, a woman cabinet member, and a woman attorney general. Women also serve in the uniformed police force.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: HONDURAS

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	53.1	36.4	80.6
LOANS..............	40.6	23.8	61.5
GRANTS.............	12.5	12.6	19.1
A.AID	45.8	25.7	67.9
LOANS..............	38.6	20.2	54.5
GRANTS.............	7.2	5.5	13.4
(SEC.SUPP.ASSIST.)...	0.0	0.0	36.8
B.FOOD FOR PEACE.......	5.2	8.2	10.1
LOANS..............	2.0	3.6	7.0
GRANTS.............	3.2	4.6	3.1
TITLE I-TOTAL..........	2.0	3.6	7.0
REPAY. IN $-LOANS.....	2.0	3.6	7.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	3.2	4.6	3.1
E.RELIEF.EC.DEV & WFP.	1.1	1.2	0.4
VOL.RELIEF AGENCY.....	2.1	3.4	2.7
C.OTHER ECON. ASSIST...	2.1	2.5	2.6
LOANS..............	0.0	0.0	0.0
GRANTS.............	2.1	2.5	2.6
PEACE CORPS......	1.9	2.4	2.6
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.2	0.1	0.0
II.MIL. ASSIST.-TOTAL...	3.9	8.9	31.3
LOANS..............	3.5	8.4	19.0
GRANTS.............	0.4	0.5	12.3
A.MAP GRANTS..........	0.0	0.0	11.0
B.CREDIT SALES-FMS....	3.5	3.4	19.0
C.INTL MIL.ED.TRNG....	0.4	0.5	1.3
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	57.0	45.3	111.9
LOANS..............	44.1	32.2	80.5
GRANTS.............	12.9	13.1	31.4
OTHER US LOANS..........	13.7	0.9	0.6
EX-IM BANK LOANS.......	12.5	0.9	0.3
ALL OTHER.............	1.2	0.0	0.3

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	252.0	7.5	30.0	1003.4
IBRD	156.0	0.0	30.0	438.5
IFC	0.0	0.0	0.0	10.4
IDA	25.0	0.0	0.0	85.1
IDB	71.0	7.5	0.0	444.6
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	19.1
OTHER-UN	0.0	0.0	0.0	5.7
EEC	0.0	0.0	0.0	0.0

JAMAICA

Jamaica is a constitutional, parliamentary democracy with a mixed economy which emphasizes increasing opportunity for private enterprise. Two major political parties, the Jamaican Labour Party and the People's National Party, have alternated in power since the first elections held under universal adult sufferage in 1944. The former party's leader, Edward Seaga, has been Prime Minister since November 1980. The Jamaican Constitution requires that general elections be held at least once every five years. Parliamentary elections are not expected until the end of 1985.

Jamaicans have a high respect for human rights, which generally prosper in Jamaica's open society with its strong democratic traditions. Despite difficult economic circumstances and the political violence which occurred during the 1980 elections, Jamaica continues its strong record of observing human rights. Jamaica's legal system is based on English common law and an independent judiciary. The Constitution provides for, and there are, an independent director of public prosecutions to pursue criminal cases and an independent commission to oversee or inquire into allegations of official misconduct. The security establishment is small and generally apolitical.

Several factors cause concern about how well Jamaica can preserve its democratic heritage and respect for human rights in the future. The Jamaican economy declined for close to a decade and, while showing some growth in 1981 and 1982, continues to require large amounts of foreign capital. Job creation and emigration are not keeping pace with increases in the size of the work force. The country's infrastructure, including its social, educational, security, and utility services, have badly eroded through years of neglect. Political divisions between the two major parties have sharpened in the past decade. Political violence drastically increased in the 1980 election, and there is an absence of consensus or dialogue between the two parties on major national issues. Together, these social, economic, and political factors point to possible increased political tensions and a less favorable environment for human rights, unless redressed.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Officially sanctioned murder of political opponents does not occur in Jamaica. Rivalries between the two principal political parties have led to increasing violence during election campaigns, although there are occasional incidents of politically motivated violence at other times. Both major political parties are believed to have supporters who employ violence for political purposes during election periods. Over the years election-related violence has steadily worsened, reaching a peak in the long and hotly contested 1980 campaign in which there were an estimated 600 politically inspired deaths. Because of intimidation and other factors, the legal and judicial systems have generally been unable to bring perpetrators of political violence to justice. Neither the Government nor the opposition party condones the use of extra-legal violence. In 1982 there were unsubstantiated charges against the police for using excessive violence against members of radical political groups.

b. Disappearance

There is no evidence of secret arrests, abduction, or clandestine detention by any official groups.

c. Torture

Torture is prohibited by the Constitution and is not practiced.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Legal prohibitions against cruel, inhuman, and degrading treatment or punishment are respected. Access to detainees by relatives, attorneys, physicians, and friends is routine. Prison conditions are austere. There have been occasional claims of beatings and other abuses by police. Some members of opposition parties, especially the Communist Workers Party of Jamaica, have charged the police force with politically motivated harassment. Most observers concede that there is a small minority of individuals within the police force who, at times, have abused their authority, especially during operations against criminal gunmen. These instances are unusual and not official policy. Officials committing illegal acts are liable for punishment, although investigation and prosecution are often a lengthy and involved process. During the first 11 months of 1982, seven policemen were charged with murder for acts committed while on duty. In several other trials in 1982, policemen charged with murder were acquitted.

The police force complaints department conducts an initial investigation into charges, referring the complaint to the criminal investigations branch or the director of public prosecutions when warranted. All complaints receive a written reply. In addition, complaints against the police are also directed to the Parliamentary Ombudsman and to the media. In several cases in 1982, groups of citizens demonstrated to protest alleged use of excessive force.

e. Arbitrary Arrest and Imprisonment

There are no political prisoners in Jamaica. The Supression of Crime Act, which has been in force for several years as a means of increasing the authority of the security forces to deal with criminal and political violence, permits detention for brief periods, but requires an early appearance before a magistrate. Habeas corpus is guaranteed by the Constitution and respected by the courts and the police. Opposition political spokesmen have charged irregularities in preventive detention practices by the police.

Arbitrary detention without trial does not occur, but delays in trials are common. A "gun court" established in 1974 as an extraordinary means of dealing with the serious problem of violent crime, considers cases involving the illegal use or possession of firearms or ammunition. After arraignment the "gun court" has allowed some pretrial detentions lasting months and convictions carry a mandatory life sentence.

Continuation of the "gun court" has been an increasingly controversial subject in Jamaica. In late 1982, important amendments to the Gun Court Act were approved by the House of Representatives. They eliminate the mandatory sentence of life imprisonment, permit magistrates outside of the Kingston metropolitan area discretion in determining whether to refer cases to the "gun court", and remove entirely from the jurisdiction of the "gun court" cases involving children under the age of 14. The Government regards these amendments as the beginning of a process to review and reform an act which the Minister of Justice has described as "a blot on the country's juridical history." Cases of 1,500 persons, whose average age is 21, serving life sentences under the Gun Court Act are to be reviewed and a Parliamentary Committee formed to study longer term changes in the legislation.

f. Denial of Fair Public Trial

Jamaica has an independent judiciary. In regular courts, accused persons receive a fair public trial in accordance with constitutional legal guarantees and standards. Legal counsel is provided to indigents in criminal cases. Restrictions on public attendance and less stringent rules of evidence apply in the "gun court" where cases are conducted before a judge, except in murder cases when the trial is heard by a jury. The Jamaican legal system, however, is overburdened, and many cases take years to come to trial.

g. Invasion of the Home

Jamaican law requires judicial warrants before entry, except during those times when the Suppression of Crime Act is in force. The act is currently in force until January 1983 when it could be further extended at the initiative of the Government. Although the act authorizes Jamaica Defense Force personnel to operate alongside the police, since the violence-ridden 1980 election period, Defense Force personnel have only occasionally exercised this authority in operations against criminal gunmen. No search warrant is required under this act, but regulations approved by parliament in 1980 require that every effort be made by the security forces to have the owner or occupier of the premises present during the search.

2. Respect for Civil and Political Liberties, Including:

a. Freedom of Speech and Press

Freedom of speech and press are guaranteed in the Constitution and are observed in practice within the broad limits of Jamaican libel and state secrets laws. There is no official censorship of the media, books, or art, nor is there interference in academic studies. Jamaica's principal privately owned newspaper, the "Daily Gleaner," has often been a critic of Jamaican Governments. The Government owns the "Daily News," which generally supports the ruling party. However, it has been offered for sale as part of the Government's efforts to divest itself of many publicly owned entities. Several smaller newspapers and magazines are also published. The opposition Peoples' National Party and the Communist Workers' Party of Jamaica each publish newspapers. These two papers are highly critical of government policies. Foreign publications are usually available, but in a limited number of copies.

Licensing of electronic media has always been tightly controlled by the Government. Jamaica's one television station is government-owned, although an intention to issue potential competitors licenses has been announced. The government-owned television and radio network, Jamaica Broadcasting Corporation, has long been accused by the opposition party of the day of bias in favor of the Government. The second radio station, Radio Jamaica Rediffusion, while partially government-owned, is politically independent.

b. Freedom of Peaceful Assembly and Association

Freedom of peaceful assembly and association are guaranteed in the Constitution. Public demonstrations and rallies are integral to Jamaican politics and are staged by all political parties without government interference. A large variety of professional groups exist and are free from any official harassment.

Jamaica has a strong, organized, and independent labor movement which contributes many leaders to the political process. These include the current Deputy Prime Minister and Minister of Foreign Affairs Hugh Shearer and former Prime Ministers Michael Manley and Sir Alexander Bustamante. The right to form and belong to trade unions is constitutionally guaranteed, and trade unions are among the strongest and most active organizations in the country. Approximately 25 percent of the work force is organized. The two major unions, the Bustamante Industrial Trade Union and the National Workers Union, are associated with the two major political parties, but operate as independent organizations, differing at times with both political movements. Both unions are affiliated with the Caribbean Congress of Labor and the International Confederation of Free Trade Unions. Numerous other unions exist. Unions participate extensively in labor-related policy decisions and make active use of the bargaining rights in the Labor Relations and Industrial Disputes Act of 1975. Jamaican workers, including government workers, have the right to strike, which they frequently exercise.

c. Freedom of Religion

Freedom of religion is guaranteed in the Constitution. A great variety of churches and religious groups operate freely. Membership in a particular religious group confers neither advantage nor disadvantage.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution guarantees freedom of movement. There are no restrictions on foreign travel or emigration, although the Government has for some years restricted the amount of foreign exchange available to an individual for travel abroad. Few refugees have sought to work and settle in Jamaica. Jamaicans can settle and work in other countries without hindrance by the Jamaican Government. There is no evidence of discriminatory treatment of travelers based on nationality, race, or sex. Jamaica gives its nationals free right of re-entry and residence in the country.

e. Freedom to Participate in the Political Process

Jamaica has a multi-party political system. Two parties have long been dominant, alternating in power in free elections every two terms. The leader of the party which wins the largest number of the 60 seats in the House of Representatives is appointed Prime Minister by the Governor General. The latter represents the head of state, the British monarch. Strong party discipline in parliament is traditional, and government-sponsored legislation, while often hotly debated, is almost always approved. The position of the leader of the opposition is provided for in the Constitution. All citizens 18 years of age and over are eligible to vote. No group is denied the right to participate in political activity. In recent years successful efforts to improve the integrity of the electoral process have been undertaken. Despite violence during the 1980 campaign, 86 percent of the registered voters turned out at the polls.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Jamaica has not been the subject of resolutions, investigations, or human rights actions by international organizations. Jamaica is a strong advocate for human rights in international fora. It is a member of the United Nations, the Organization of American States, and the Caribbean Community as well as other international bodies which protect human rights. A Jamaican is a judge on the Inter-American Court on Human Rights. As a government and a people, Jamaica frequently displays its deep concern for observance of human rights throughout the world. There has been little interest by international or non-governmental groups in investigation of human rights in Jamaica, although Amnesty International in mid-1982 wrote to the Government in opposition to capital punishment. Jamaica imposes no restrictions on human rights organizations.

4. Economic, Social, and Cultural Situation

Jamaica's economic recovery from the decline experienced in the 1970's is continuing slowly, but the economic situation for a large portion of the Jamaican population remains bleak. The economy grew by two percent in 1981 in real terms, and a very small amount of growth was expected in 1982. The inflation rate, which had decreased to five percent in 1981, was expected to rise to approximately eight-ten percent in 1982. A depressed world bauxite market is likely to limit export earnings and constrain economic growth in 1983.

The Seaga administration continues to be committed to the improvement of social and community services programs and has once again earmarked a substantial portion of the national budget to address needs in these areas. Although the average life expectancy in Jamaica is 70.9 years, health care services are still inadequate in many rural areas; government expenditure for health-related services will, therefore, increase markedly in 1982. The infant mortality rate is 28 per 1,000 live births and approximately 86 percent of the population has access to safe water. Because the local demand for low-cost housing is still greater than the existing supply, the Government has committed itself to the task of ensuring that all Jamaicans are adequately housed. To achieve that goal, several new housing projects have been started and existing ones continued or expanded. Additionally, a three-year national housing plan will be developed to address future housing requirements.

Jamaica's educational system is free, but the rise in the cost of living has meant continuing problems for families trying to provide books and uniforms. Primary education is in the process of becoming compulsory in Jamaica, which is placing strains on existing educational facilities. The Government has placed a high priority on improving the conditions of schools, and education expenditures are the largest single item in the budget for social and community services. The official adult literacy rate is 86 percent, and 99 percent of primary school age children are enrolled in schools.

Women have equal rights under Jamaican law and in October 1981 (the date of the last available survey) represented 46.6 percent of the island's labor force. However, in practice they suffer economic discrimination, particularly lower pay and more difficult access to jobs. Jamaican statistics show that the female unemployment rate was 40 percent in April 1982 while the male rate was 15.3 percent. Although the 1975 Employment Act states that males and females should receive equal pay for equal work, actual practice often diverges from the law. The Jamaican Government established a Women's Bureau in 1974 to formulate policy and design programs to cope with problems faced by women. The Bureau's responsibilities have grown since 1974 despite a shrinking budget. It runs programs to train women in agricultural and technical skills and a secondary school for pregnant girls. The Bureau has been largely responsible for overseeing the adoption of legislation granting maternity leave to pregnant workers and legal status to children born out of wedlock.

Increasing crime and violence have been a major social problem in Jamaica in recent decades. Rising unemployment, urbanization, lessened respect for authority, over-worked courts, and the deterioration of the security forces have contributed to a growing crime rate. The response of successive Jamaican Governments, with regard to enforcement, has been to pass the Gun Court and Suppression of Crime Acts and to give high priority to crime fighting efforts by the security forces, especially the police.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: JAMAICA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	14.6	73.4	138.6
LOANS...............	10.0	67.8	128.4
GRANTS..............	4.6	5.6	10.2
A.AID	2.7	53.9	119.4
LOANS...............	0.0	50.7	110.9
GRANTS..............	2.7	3.2	8.5
(SEC.SUPP.ASSIST.)...	0.0	41.0	90.5
B.FOOD FOR PEACE.......	10.0	17.1	17.5
LOANS...............	10.0	17.1	17.5
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	10.0	17.1	17.5
REPAY. IN $-LOANS.....	10.0	17.1	17.5
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	1.9	2.4	1.7
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.9	2.4	1.7
PEACE CORPS......	1.7	1.6	1.7
NARCOTICS.........	0.0	0.0	0.0
OTHER............	0.2	0.8	0.0
II.MIL. ASSIST.-TOTAL...	0.0	1.7	2.1
LOANS...............	0.0	1.6	1.0
GRANTS..............	0.0	0.1	1.1
A.MAP GRANTS..........	0.0	0.0	1.0
B.CREDIT SALES-FMS....	0.0	1.6	1.0
C.INTL MIL.ED.TRNG....	0.0	0.1	0.1
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	14.6	75.1	140.7
LOANS...............	10.0	69.4	129.4
GRANTS..............	4.6	5.7	11.3
OTHER US LOANS..........	0.0	7.4	1.5
EX-IM BANK LOANS.......	0.0	6.4	0.0
ALL OTHER..............	0.0	1.0	1.5

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	8.7	70.8	231.7	749.1
IBRD	0.0	44.5	133.1	463.3
IFC	0.0	2.3	11.4	16.8
IDA	0.0	0.0	0.0	0.0
IDB	7.0	23.5	87.2	248.3
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	1.7	0.5	0.0	19.0
OTHER-UN	0.0	0.0	0.0	1.7
EEC	0.0	0.0	0.0	0.0

MEXICO

Mexico is a federal republic governed by the Constitution of 1917, which provides for separation of powers between a bicameral legislature, a judiciary, and an executive. The powers of the presidency, however, far outweigh those of the other branches of government in Mexico's centralized system.

Since 1929, politics at all levels -- federal, state, and local -- has been dominated by the Institutional Revolutionary Party (PRI). Opposition parties are allowed and are even encouraged by the Government as outlets for criticism and dissatisfaction, but they have not been able to successfully challenge the PRI politically in presidential or gubernatorial elections, and Mexico remains virtually a one-party state. Opposition party opportunities have been thwarted by nationwide PRI voting strength and organizational power, by the party's maneuvers to co-opt and/or divide the opposition, and, the opposition claims, by electoral fraud.

In the July 1982 election, the PRI lost only one of the 300 single-member districts of the Chamber of Deputies seats; another four seats are to be decided by new elections or by an appeal to the Chamber of Deputies. The PRI won all 64 Senate seats and the presidency. The official results indicate that 74.8 percent of the 31,516,370 registered voters turned out. Of these votes, the PRI won 74.3 percent in the presidential tally and an average of 69.4 percent in the congressional contests.

Mexico is more economically advanced than most developing countries, and its human and natural resources, particularly oil, provide the base for further growth. Over the last 40 years Mexico has changed from a rural and agricultural society to an urban industrialized society with a mixed economy and large public sector involvement.

During 1982 there was some improvement in the human rights situation in Mexico, although problems exist as noted by Amnesty International, Freedom House, and other independent observers. Most attention has focused on the fate of "disappeared" or missing persons held by the Government, alleged in 1982 to number approximately 500. This subject is often the theme of statements by Mexico's most prominent human rights advocate, Mrs. Rosario Ibarra de Piedra. She and others concerned with human rights are allowed to publicize their concerns, and the Mexican Constitution and laws call for social justice, equality, and human rights.

In August, the President gave amnesty to 44 political prisoners, i.e., persons previously charged with various criminal acts that may in fact have been politically-motivated. This action brought to 1,604 the number of persons given amnesty during the Lopez Portillo administration. The political reform of 1977 provides possibilities for a greater variety of registered political parties through which minority or dissenting opinion can be expressed. Independent unions are being certified (accredited) by the Government, with over 100,000 bank employees now permitted to form unions for the first time in Mexican history.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

The quest for equitable distribution of land played a key role in the Mexican Revolution. Critics of the Government feel that agrarian reform has not been carried out properly and that land is held by too few individuals.

Peasants continued in 1982 to carry out land takeovers, which in a few cases resulted in deaths. Many peasant leaders and Mexican human rights advocates believe that the "Brigada Blanca," a para-military force created by the Government to combat terrorism during the 1970's, assisted landowners in violent attacks on peasants seeking land due them under presidential decree. According to peasant and Indian groups critical of government agrarian policy, 10 peasants were killed in Oaxaca in 1982 by Brigada elements from Veracruz and local landowners. A spokesman for the National Plan of Ayala Organization, an independent peasant organization, has claimed publicly that officially-inspired atrocities, including killings, have been committed against peasants not only in Oaxaca, but also in Veracruz, Chiapas, Jalisco, Guerrero, and Sonora. Although there are no available independent means for corroborating these allegations, these are credible reports that are widely believed by Mexican human rights advocates.

The Government has responded positively to some reported incidents, denouncing the murder by large landowners of 26 peasants in Puebla in June 1982, and expressing the Government's commitment to prevent such incidents in the future. It promised to investigate the incident, but no findings have been announced. The Government contends that the "Brigada Blanca" has been disbanded.

b. Disappearance

Reports by human rights groups, news reports, and letters smuggled out of prisons by those apprehended claim the existence of a government-controlled chain of underground prisons ranging from police station basements to installations at a military camp ("Numero Uno") in Mexico City. The National Front against Repression claims to have the names of the kidnapped victims and notarized testimonies of former prisoners detailing what they suffered and where they were detained, all of which, the Front states, has been ignored by the authorities. The Front claimed in 1982 that there were approximately 500 persons missing for political reasons, an increase of six over November of 1981. Amnesty International has urged unsuccessfully that the Mexican Government provide information about specific cases of possible disappearance.

Mexico denies official involvement in the disappearance of individuals, and there is no reliable evidence to the contrary. The Government claims that those who are unaccounted for were either killed in encounters with security forces, changed their names, went underground, or sought voluntary exile.

c. Torture

The Mexican Constitution prohibits torture. Nevertheless, credible reports of mistreatment of persons during the arrest and interrogation stage continue. Amnesty International's 1982 report highlights such reports. According to these reports, beatings, electric shocks, submersion in water, and forcing carbonated water up the nostrils are among the methods of torture. Those suspected of terrorism or drug-trafficking appear to be most likely to be physically maltreated. These credible reports tend to confirm allegations by American citizens of instances of maltreatment by Mexican law enforcement personnel.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

While Mexican penal institutions continue to be improved, unsanitary conditions and health problems exist. Most prisoners are allowed to have food and other necessities purchased and brought in for them by others. Medical care is provided and conjugal visits are permitted. Both in terms of the physical conditions and in the physical treatment of the prisoners, the prisons in Mexico City and along the US-Mexican border are better than those in the interior of Mexico. There are credible reports of continued physical maltreatment of prisoners in Mexican penal institutions, as well as of verbal threats directed toward prisoners' families or prisoners themselves.

e. Arbitrary Arrest and Imprisonment

The Constitution limits detention of an individual to three days without formal charges. Detentions of more than three days are rare, occurring most often in criminal cases, especially those involving drug trafficking. Such violations are less the result of calculated police tactics than the slow moving judicial process and/or bribe demands by police officials.

Arbitrary arrest and detention for periods of time shorter than three days are more common. Those instances which occur often involve alleged "troublemakers" and members of opposition political groups. For example, in the wake of the August 1982 devaluation, Mexico City police rounded up and held for a short period of time several persons as a form of intimidation to prevent any manifestations of social unrest. Some specific examples of arrest and/or detention follow:

-- Luis Ortega Morales, Secretary of the Unified Socialist Party for the State of Puebla, claims to have been abducted from his home in late August 1982 by nine police officers, detained for one night at the local police station, and beaten. Mr. Ortega claimed the action was related to a suit he had filed against his landlord for wanting to raise his rent by 200 pesos. The landlord is reportedly a relative of an official in the local justice tribunal.

-- In August 1982, the Revolutionary Workers Party claimed that its press coordinator, Ulises Martinez, and two other party members were detained in Mexico City by unidentified men who questioned them regarding their political activities. The men extorted 5,000 pesos and threatened to take them to military camp "number one" before finally releasing them.

Provision for amnesty on the federal and state levels exist for those convicted of crimes, including political activists. Prior to his September 1982 State of the Nation address, President Lopez Portillo, in keeping with the 1978 Amnesty Law, gave amnesty to 44 political prisoners. Mexican private organizations allege that there are several hundred political prisoners still in detention, however. Amnesty International reported in its 1982 report that the "arrest and imprisonment of many people convicted on criminal charges were politically motivated and stemmed from their activities in trade unions or peasant groups."

f. Denial of Fair Public Trial

The accused in Mexico is generally accorded a fair public trial, although delays are often encountered. Under the

Constitution, trial and sentencing must be completed within 12 months of arrest for crimes that would carry a minimum of a two-year sentence. Such cases are often delayed due to cumbersome court procedures or to the inability of the defendant to provide the money which the law sets as a prerequisite to bring the case to trial. Defendants have a right to counsel and public defenders are available. Trial procedures usually involve only a judge, with no jury, and make use of written statements, expert opinion, and, less commonly, oral testimony. There are credible periodic allegations in the Mexican press of confessions obtained through coercion.

Civilians may not be tried by military courts. To appeal a verdict, a defendant may ask the Supreme Court, the District Court, or the Circuit Court for a habeas corpus-type procedure known as "amparo." There are ample guarantees for access to the courts as well as for appeals - and both are liberally exercised by Mexicans. There have been occasional reports that the executive branch influenced the extent of such interventions, but it is difficult to assess them.

g. Invasion of the Home

Constitutional guarantees exist against entry into homes without a warrant. Such warrants may be issued, depending on the case involved, by a federal or state judge. The constitutional guarantees are generally respected.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedoms of speech and press are guaranteed by law and are exercised openly by the media. Political and social commentary and some criticism of government policy, individual political figures, and political parties are seen in the daily press and in periodicals. Traditionally, the President has been exempt from press criticism, but there has been more critical public commentary in the past year than is customary. Overt censorship is exercised mostly on moral grounds, be it in print, radio, movies, or television. Journalists are expected to respect the privacy of individuals and not disturb public peace and morals in their reporting. In addition to libel and slander laws, there is an unwritten understanding between reporters and the Government that reporters should avoid indiscriminate critical exposes of the personal lives of prominent officials. The result is that journalists tend to practice self-censorship. Cable TV from the US is readily available, but sometimes censored. Local press freedoms are difficult to gauge since experiences vary from state to state, but there appear to be few institutionalized safeguards against infringement by local authorities.

While the press is ostensibly free of government censorship, press sources report that the Government uses a number of means to exert influence. These means have included government financial supplements to individual reporters, withholding newsprint (a government monopoly) from papers, and selective placement of government advertising (an important source of income for the press). In the wake of the August 1982 economic crisis, the Government resorted to somewhat more overt censorship. On a few occasions cable news programs from the US were censored to prevent reports critical of Mexico from being aired in Mexico.

b. Freedom of Peaceful Assembly and Association

The Constitution grants the right to peaceful assembly for any lawful purpose. Many demonstrations, including anti-government ones, take place throughout the country without government interference.

Trade unions enjoy the right to organize, negotiate, and strike. The major portion of organized labor is affiliated with the Institutional Revolutionary Party, through the Confederation of Mexican Workers. As a result, the labor confederation both influences and is influenced by the Government. The Government generally provides police protection to strikers and acts to protect their right to strike. There is no official harassment of unions, and several powerful independent unions exist. About 85 percent of urban workers are organized. Unionization in the rural sector is much lower. Professional organizations function openly and they, as well as the unions, maintain international ties.

c. Freedom of Religion

Mexico is heavily Roman Catholic, but there has been no overt favoritism or discrimination based on religion. Under the law, freedom of religion is protected, but political activity on the part of the clergy, including speaking out on political issues, is not allowed. Other constitutional limitations include prohibitions against clergymen voting or holding elective office, authority vested in the states to regulate the number of clergymen allowed to practice within their boundaries, and a prohibition against ownership of real estate by religious groups. Most of these limitations are not strictly enforced. Two other prohibitions which have not been strictly carried out, but which nevertheless remain as law, are a limitation of the right of clerical practice to Mexican-born citizens and a restriction against pre-university religious schools.

Attempts by the Church to speak out on political issues during the past year have brought quick negative reactions from the PRI and opposition political parties of the left. The PRI issued a protest in the electoral college of the Chamber of Deputies in August 1982 against Catholic Church activity during the election campaign. The protest was made following comments by Church officials that Catholicism and Marxism are not compatible and remarks by an archbishop that the current economic crisis would explode into a social crisis because the people have lost confidence in the system, due to its immorality and corruption.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Freedom of movement is unrestricted. Mexico is concerned, however, about the uncontrolled population growth of Mexico City, Guadalajara, and Monterrey, caused in large part by migration from rural areas. These newcomers often illegally settle on private lands and the Government has responded on occasion by demolishing their shanties and forcing them out. In other cases, the Government has expropriated land for national and/or development purposes, thereby forcing people to relocate. One example is the land used by squatter settlements in the hills overlooking Acapulco which the state government expropriated to use as a national park. The goal was to reduce the pollution of the bay and erosion caused by the squatter communities. The Government established a new city near Acapulco as compensation, but there was much resentment on the part of those who were compelled to move.

Mexico has maintained a liberal asylum policy, and many political exiles have come to find a home in Mexico. Emigration from Mexico is liberal, with no government restrictions to impede an individual's move. Likewise, immigration to Mexico is encouraged by Mexico's liberal immigration regulations and there are large communities of various groups such as Americans, Spaniards, Italians, Chinese, Lebanese, and Jews.

Mexico has opened its borders to Central American refugees, particularly Guatemalans. Mexico maintains a number of refugee camps along its southern border. With the assistance of the Mexican office of the UN High Commissioner for Refugees, Mexico has inaugurated a number of aid projects for the refugees. There have been some abuses practiced against the refugees. In 1981, the Government expelled approximately 2,000 refugees to Guatemala and, in October 1982, a local immigration official reportedly forced refugees out of one camp. The reason for the latter expulsion is unknown, but most of the affected refugees turned up in another camp inside Mexico. The Government has promised to end such abuses and the official responsible was transferred from the border area. Overall, the Government's attitude and assistance to the refugees has been positive. There are an estimated 30,000 Guatemalan refugees now living in Mexico.

The National Front Against Repression claims in a credible report that there are four individuals, located in Cuba, France, and the Netherlands, who have been precluded from returning to Mexico because of their former political activities.

Citizenship may be lost if a Mexican works for, accepts a decoration from, or receives a title or function from a foreign government without the permission of the Mexican Government. It can also be lost by accepting a title of nobility or by aiding a foreign country against Mexico. Over the past year there have been no known cases of revoked citizenship.

e. Freedom to Participate in the Political Process

Mexico is a republic which has been governed for almost fifty years by one party, the PRI. Under the law, all citizens, 18 and over, except the clergy, may vote. The Government runs extensive campaigns to generate voter participation, and the 1982 election witnessed a record turnout.

Politicians, both from the ruling party and the opposition, have reported that some elections - particularly on the local level are marred by fraud and at times by violence. Local election conflicts sometimes involve not only the pitting of opposition groups against the PRI, but also factional strife within the PRI itself. For instance, 20 municipalities in Chiapas were reported by the press as experiencing violence related to intra-party squabbles over the nomination of candidates. At least two people were killed and dozens wounded. The PRI, however, reported that the nomination process had proceeded normally and rejected all reports to the contrary as untrue. Opposition figures state that when they win elections, they sometimes experience harassment. For example, in Juchitan, Oaxaca, an alliance of leftist forces which supports the local Unified Socialist Party government reportedly experienced harassment from PRI groups. Federal Deputy Hector Sanchez claimed there were armed persons affiliated with the PRI who had engaged in violence against the left.

The July 4, 1982 national elections involved few incidents of violence. The election was marked by the participation of nine political parties fielding a total of seven presidential candidates. Both figures are records for Mexican politics. There were many charges of electoral fraud, largely from opposition parties. For example, early returns announced by the Federal Election Commission gave the Unified Socialist Party presidential candidate 1,113,000 votes or 5.81 percent of the vote. However, the final figures showed the United Socialist Party with only 821,995 votes or 3.65 percent. There were also some reports of death threats made against opposition candidates and their families.

Minority groups, including women and Indians, are allowed full participation in the Mexican political process. In the 52nd legislature (convened September 1, 1982) there were six women in the Senate and 51 in the Chamber of Deputies, in both cases significant increases in the level of female representation. Persons of Indian heritage play a role in practically every level of Mexican politics and are well represented in local and national legislative bodies.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Mexican Government participates in international human rights fora and allows both domestic and international human rights groups to operate within Mexico without restrictions or harassment. Both Amnesty International and the Office of the UN High Commissioner for Refugees (UNHCR) operate in Mexico. The latter opened its office in January 1982. A close working relationship has developed between the Mexican Government and the UNHCR in providing assistance to Central American refugees, particularly Guatemalans, in southern Mexico.

Mexican human rights organizations have numerous contacts with other Latin American human rights groups. The National Front Against Repression claims to have been instrumental in obtaining the release of 40 "disappeared persons" since 1979. Mexican human rights advocates have access to government leaders, including the President.

In January 1982, three representatives of the UN Human Rights Commission (UNHRC) visited Mexico at the invitation of the Mexican Government to obtain information on reports of disappearances. (Mexico was the first country to invite the UNHRC Working Group since its creation in 1980.) The delegation met with government officials and human rights groups. The Government continues actively to examine the cases submitted to it. Nevertheless, in August 1982, the UNHRC in Geneva listed Mexico as one of 22 countries in which political disappearances are common. Freedom House in 1982 listed Mexico as "Partly Free."

In reply to queries about missing persons, the Government claimed that most of the presumed disappeared were criminals or members of subversive groups who had been killed in battles with government forces or who were in hiding or voluntary exile. The Government claimed that it was difficult to account for all missing individuals, since some of the local officials who were supposedly involved in older cases have died. Furthermore, some of the cases are as old as ten years, making it difficult to collect facts. The Government continues, however, to cooperate with the UNHRC Working Group.

4. Economic, Social, and Cultural Situation

Mexico's major domestic economic and social problems continue to be inflation, unemployment, severely uneven income distribution, and population growth.

A deterioration in the general economic situation in 1982 led the Government to devalue its currency in February, August, and December; in September, the Government nationalized domestic banking institutions. Regarding one of its major problems as being flight of capital, the Government has instituted various other limitations, including exchange controls. These include restrictions on the amount of money and gems an individual may take out of the country. The economic crisis has also spurred a somewhat greater flow of illegal workers into the US.

The Government maintains the right to regulate ownership of private property in order to protect the public interest.There are also restrictions regarding the ownership of property by foreigners.

Corruption continues to mar the Government's functions at all levels in spite of past efforts to eliminate it and to apprehend those guilty of malfeasance. As a sign of its continuing effort, the Government proposed in September 1982 a list of new and tougher anti-corruption bills for congressional consideration. The proposed legislation would establish sanctions for abuses of authority, embezzlement, bribery, and profiting from official services. President de la Madrid stressed during the campaign before his election his determination to fight corruption during his administration.

Mexico's population in 1982 was estimated at 76 million. Its population growth rate declined to 2.34 percent by the end of 1982, according to official figures, from a level of 3.2 percent from six years before. Life expectancy at birth is 65.4 (1980), as compared to 66 years in 1979. The infant mortality rate declined to 55.9 per 1,000 live births as of 1980, compared to 60 per 1,000 in 1978. Mexico has become an urbanized society, with some 60 percent of the population living in cities.

The primary school enrollment ratio in Mexico, including the primary age group and those outside it, is 124 (1979). Primary education is both free and obligatory and has been extended to include 10 years of schooling. Adult literacy as of 1976 stood at 82 percent. The ratio of calorie supply available for consumption relative to nutritional requirements is 114 percent(1977). The GNP per capita was $2,134.70 in 1980 as compared to $1,640.00 in 1979.

Inflation and unemployment continue to trouble the economy. Inflation in 1982 was about 54 percent. According to the Government, unemployment rose from five percent at the end of 1981 to over eight percent in mid-1982, while underemployment was estimated by most observers at 40 percent. There is no generalized unemployment compensation system in Mexico. The Social Security Institute provides medical insurance, retirement benefits, and funeral expenses. The percentage of the population with access to safe water is 62 percent (1975).

Men and women are equal under the law, enjoying the same rights and privileges. Mexican women have the right to file for divorce or separation. There are no travel restrictions on women and they can own property in their own names. Moreover, over the past ten years, Mexican women have increased their presence in non-traditional occupations. Nonetheless, the traditional concept of women as homemakers continues to hold sway. This is more a result of the Latin cultural milieu than outright discrimination against women. For example, the National Women's Civic Association maintains that the role of a woman is that of wife and mother. Women comprise approximately 20 percent of the work force and continue to work predominantly in non-supervisory jobs, with few on the executive level.

U.S. OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S. FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: MEXICO

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	7.4	9.8	8.8
LOANS..............	0.0	0.0	0.0
GRANTS..............	7.4	9.8	8.8
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	7.4	9.8	8.8
LOANS..............	0.0	0.0	0.0
GRANTS..............	7.4	9.8	8.8
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	6.8	9.3	8.5
OTHER............	0.6	0.5	0.3
II.MIL. ASSIST.-TOTAL...	0.1	0.1	0.1
LOANS..............	0.0	0.0	0.0
GRANTS..............	0.1	0.1	0.1
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.1	0.1	0.1
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	7.5	9.9	8.9
LOANS..............	0.0	0.0	0.0
GRANTS..............	7.5	9.9	8.9
OTHER US LOANS..........	180.8	652.6	293.4
EX-IM BANK LOANS.......	180.8	652.6	293.4
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	1296.7	1379.4	634.5	8955.8
IBRD	625.0	1021.0	539.9	5749.0
IFC	275.3	61.2	10.5	572.3
IDA	0.0	0.0	0.0	0.0
IDB	396.2	295.5	134.1	2565.6
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.2	0.2	0.0	50.2
OTHER-UN	0.0	1.5	0.0	18.7
EEC	0.0	0.0	0.0	0.0

NICARAGUA

The National Directorate of the Sandinista National Liberation Front (FSLN), a group of nine Marxist revolutionary leaders who took control in July 1979, holds political power in Nicaragua. A three-man junta, consisting of one of the FSLN National Directorate commanders and two civilians, serves as head of government. Although it maintains that it is committed to pluralism and a mixed economy, the FSLN has progressively consolidated its power and restricted civil liberties.

The human rights situation deteriorated markedly in 1982. Freedom House listed Nicaragua in its 1982 study among those countries where there was a significant decline in freedom. Early in the year, the Government of National Reconstruction forcibly moved thousands of Miskito Indians from their traditional homes along the river boundary with Honduras to camps in the interior, claiming that it had done so in reaction to an outbreak of anti-government armed violence. Between 11,000 and 14,000 Indians fled to Honduras. Many villages were burned and animals belonging to the Indians slaughtered. Miskito leaders have documented incidents of forced marches, tortures, and executions of Indians by government forces. The Miskitos have not been permitted to return to their traditional homes. The Nicaraguan Roman Catholic Bishops' Conference in February 1982 publicly condemned the methods employed to move the Miskitos.

In March, the Government declared a state of emergency, claiming an imminent threat of invasion after anti-Sandinistas blew up two bridges. In fact the Government is facing several areas of significant guerrilla activity. The state of emergency suspended many civil liberties guaranteed in the Statute on Rights and Guarantees, the basic law guaranteeing personal and civil liberties decreed by the revolutionary Government in August 1979. Under the state of emergency, the Government has instituted prior censorship of all media, imposed extensiverestrictions on political party activities and detained without due process many Nicaraguans on charges of "counterrevolutionary" activities. Statutory guarantees on freedom of religion and prohibitions against government-sanctioned killing and torture were not affected by the state of emergency decree.

Sandinista crowds attacked Protestant and Catholic churches and church leaders in July and August 1982. Many Protestant and sectarian churches were "confiscated" by Sandinista mobs. The FSLN, however, moved to stop many of those abuses after it encountered strong popular reaction and international protests. Some church property has been restored to its owners.

The state of emergency is scheduled to remain in effect at least until May 1983.

While the Government claims to favor a mixed economy, it has adopted discriminatory policies against the Nicaraguan private sector. Despite sizable amounts of foreign assistance, the Nicaraguan economy in 1982 stalled at a point far below pre-revolutionary levels.

1. Respect for the Integrity of the Person, Including Freedom from:

    a. Killing

There is credible evidence that security forces have been responsible for the death of a number of detained persons in 1982. In addition to these cases, the Ministry of Interior publicly announced that several prisoners were killed while "attempting to flee detention." There were in 1982 some 15-20 credible reports of deaths at the hands of security forces, most of of which have been confirmed.

During 1982 the Government reported a sharp increase in activities by armed anti-government forces, some of which, according to the Government, operated out of Honduras, while others attacked security forces and government installations from bases in Nicaragua. The Government claimed several occasions during which anti-Sandinistas killed dozens of unarmed civilians, as well as an attack on the town of San Francisco del Norte, where eight members of the town's militia were killed. There have also been reports of kidnappings and executions of Miskito Indians by anti-Sandinista forces. The Government claimed that in 1982 anti-Sandinistas killed at least 253 members of security forces and civilians and claimed to have killed 375 of its armed opponents and captured 76. Most of these casualties reportedly occurred in clashes between opposing armed groups.

In November and December 1982, there were credible reports of security officials killing at least 10 prisoners. In some cases, individuals were arrested by the Government and not heard from until their names appeared in lists of dead "counterrevolutionaries." In another case, a prisoner died of gunshot wounds the day before he was to be released. The Government announced that the prisoner had committed suicide.

b. Disappearance

In the first nine months of 1982 the independent Permanent Human Rights Commission documented 20 cases of disappearances under circumstances which indicated security forces were involved. In 15 cases the individuals have been located. Five cases are still unresolved.

c. Torture

Torture is not widely practiced by the Government. There have been, however, at least half a dozen documented cases of torture committed by security forces in 1982. In the most notorious case, a taxi driver, who the Interior Ministry claimed was killed while attempting to escape, was tortured and then shot at close range. In one case the Government investigated and punished police officials who abused prisoners in the town of Granada. The prisoners, charged with common crimes, were later set free by the courts because of the abuse they had suffered under detention. In the case of the tortured-murdered taxi driver, the Supreme Court has requested a full investigation from the Government. State security regularly uses sophisticated methods of psychological interrogation. There are credible reports of prisoners under interrogation being forced to remain nude, threatened with the death of members of their family, and subjected to other types of psychological abuse. In some instances, the prisoners have been beaten.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The Government currently holds about 7,000 prisoners. About 3,600 of these can be considered political prisoners, most of whom are ex-members of the National Guard who were convicted by special tribunals. Overcrowding and substandard conditions remain serious problems which the Government acknowledges and attributes to its limited resources. The International Committee of the Red Cross (ICRC) continues to make periodic visits to prisoners in the penitentiary system. The ICRC continues to provide medical attention and food supplements to prisoners and food to some of their families.

Some prisoner abuse has continued. After several prisoners escaped from a penitentiary, their colleagues remaining in that prison were forced to work nude and their families were denied visitation rights for several months.

e. Arbitrary Arrest and Imprisonment

Nicaraguan law guarantees that a prisoner will not be held by police for more than seven days or state security more than 48 hours before his case is presented to a judge. These rights, however, were suspended by the state of emergency in March 1982. Consequently, arbitrary detention has dramatically increased in 1982. State security has detained without due process hundreds of suspected anti-Sandinistas. Some have been released after a few days, others after a few weeks. Scores are still being held.

The right of habeas corpus, guaranteed in the statute of rights and guarantees, has been suspended by the state of emergency.

f. Denial of Fair Public Trial

In theory, the judicial system operates independently in Nicaragua and there are few complaints that those accused of common crimes have not received a fair trial. However, in the case of those charged with violating the law of maintenance of public order and security, the judges usually base the sentence on the findings of the Government interrogators. Military personnel or civilians accused of participating in a crime involving a member of the military are tried by military rather than civilian courts. Civilians tried by military courts are not subject to the guarantees of the civilian judicial system, though they are allowed to be represented by counsel, but may appeal to the Supreme Court. Although there is provision for legal counsel for military defendants, in practice, many do not receive adequate legal assistance. Sentences imposed by the military courts, generally for crimes of desertion, robbery, and assault are severe, varying in those cases between 18 and 26 years. It is estimated that 40 to 50 civilians are in military jails.

In its 1982 report Amnesty International expressed concern about the continued detention of approximately 3,200 "prisoners of conscience" (former Samoza officials and ex-members of the National Guard) who were convicted by special tribunals in 1979 and 1980. Amnesty International also expressed concern about the absence of a mechanism for appeal of these convictions and urged that the cases be systematically reviewed.

g. Invasion of the Home

The legal requirement for a search warrant was suspended under the state of emergency imposed in March. Even prior to March, the police occasionally entered and searched homes without a proper warrant, but subsequently there have been numerous instances of the police arbitrarily entering and searching private residences. The Government taps a number of private telephones. There are substantiated reports that the Government is violating the privacy of the mail.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

In 1982 the Government moved further away from its original program, which guaranteed basic freedoms, as issued July 1979 in Costa Rica, in its governing statute, and in the statute of rights and guarantees governing Nicaraguans.

Both the printed and spoken media are now subject to prior censorship. The censors are arbitrary and capricious, removing virtually all references to activities of the external opposition, as well as many articles implicitly critical of government policies or programs.

All independent newscasts were prohibited for the first three months of the state of emergency and a single government-run radio news program was broadcast by all stations. In June, several pro-government radio stations and one independent radio station were permitted to broadcast their own news programs, but the remaining radio stations are still prohibited from broadcasting independent news or political programs. The Government controls the only two television stations and non-Sandinista groups are denied access to television.

One of the three daily newspapers is the official voice of the FSLN; another is pro-government. There have been several cases this year of journalists being harassed, beaten and intimidated. In January, the only independent newspaper, "La Prensa," was closed for several days after a "La Prensa" watchman fired at a crowd of hostile Sandinista demonstrators. It was closed again in November for two days.

Since the imposition of the state of emergency, it has been very difficult for the opposition to make any of its views known publicly, although occasionally the censors have permitted some articles reflecting opposition viewpoints. The Government permits in its own papers some criticism of lower ranking bureaucrats, but no criticism of the FSLN leadership and their policies is allowed.

While there is no censorship of domestic or imported books, the foreign exchange crisis has meant that few books from the West are imported into Nicaragua, while Marxist literature circulates freely. The "curriculum rationalization and coordination" imposed on the National Autonomous University and the Catholic University of Central America is a government measure which has limited the universities' autonomy in developing the curriculum and has circumscribed university freedom. Moreover, the choice of textbooks is limited, as described above, and, in the social sciences, texts with a high ideological content are used. Nevertheless, the universities retain a significant degree of independence in naming their faculties.

b. Freedom of Peaceful Assembly and Association

The state of emergency suspended the right of assembly and of political parties to hold public meetings. Even prior to the imposition of the state of emergency, opposition political parties suffered harassment and intimidation by pro-government forces. Hostile, FSLN-orchestrated mobs painted political parties headquarters and opposition leaders' homes with pro-FSLN graffiti. The only party which attempted to hold a public meeting, the Conservative Party, was denied permission to hold a political rally in January.

In 1982 the Sandinistas continued their pressure on independent labor unions. Members and activists, particularly of the Christian Democrat-oriented Nicaraguan Workers Central, were subject to repeated harassment, arrests, and threats. The independent Confederation of Labor Unification also experienced harassment and arbitrary detention of its organizers. The right to strike has been prohibited since the September 1981 Economic and Social Emergency Decree and compulsory arbitration procedures remain in effect. Independent unions have found that their efforts, both to inscribe new unions and to register collective-bargaining agreements with the Ministry of Labor, receive slow and difficult treatment from the Government compared to the treatment received by the Sandinista-controlled union. By law the Labor Ministry participates in all collective-bargaining negotiations and must approve final agreements.

The Sandinista Workers Central, which claims a membership of over 93,000, exceeding the membership of the independent unions, often serves as an instrument of Sandinista policy as well as, in principle, a conduit of workers' desires and grievances to the Government. Some 10-15 percent of the urban and rural work force is unionized.

Unions maintain ties with recognized international bodies in their field. The Confederation of Labor Unification is affiliated with Inter-American Regional Organization of Workers, the Nicaraguan Workers Central with Latin American Confederation of Workers, and the Sandinista Workers Central is a member of the communist World Federation of Trade Unions.

There are two professional organizations in Nicaragua, one independent and one pro-Sandinista, but only the pro-Sandinista organization is represented in the Council of State.

c. Freedom of Religion

The Statute of Rights and Guarantees of Nicaraguans provides for freedom of religion. This freedom was not suspended by the state of emergency. Nevertheless, in 1982 there were numerous Sandinista-sponsored attacks on individual churches and churchmen. Catholicism is the predominant religion, but other churches are legal and operate freely. Conversion from one religion to another is permitted and members of minority religions generally, despite the exceptions noted below, have not been discriminated against, or persecuted because of their affiliation.

Adherence to a particular church does not confer advantage or disadvantage in any sphere in Nicaragua. However, in 1982, the Government accused certain religious sects of engaging in anti-Sandinista activities, including, in some cases, calls for non-participation in the military, and orchestrated a campaign against these groups. Pro-Sandinista groups took over churches belonging to the Seventh-Day Adventists, Mormons, and Jehovah's Witnesses. Furthermore, some Jehovah's Witnesses and Mennonite missionaries were detained and expelled from the country.

Government leaders, however, later described the confiscation of the churches as excessive and discouraged further takeovers. Some, but not all, of the churches have been returned to their original owners. Government officials also accused Moravian pastors of supporting anti-Sandinista activities on the east coast. As a result, some have been arrested and sentenced to lengthy jail terms.

Catholic churches have also been attacked by Sandinista mobs. Leaders of the FSLN and the government-controlled media have attacked Archbishop Obando y Bravo personally, accusing him of representing only the bourgeoisie and sympathizing with anti-Sandinista activities. Sandinista groups repeatedly clashed with supporters of the archbishop. In August pro-government student groups fought with students at Catholic schools who had gone on strike to protest the treatment of the church. A pro-church demonstration and counter-demonstration by pro-government groups in front of a Catholic school in Masaya led to several deaths. As a result the school was temporarily taken over by the Education Ministry and four priests at the school remained in asylum in embassies for several days. One priest was expelled from the country. After negotiation with church authorities, control of the school was returned to church authorites and all the remaining priests were permitted to return to the school.

Five American Catholic priests and nuns on Nicaragua's east coast were also expelled in January. They were subsequently permitted to return to the country but not to their original working places. The bishop of the east coast was forced by security forces to leave his diocese on one occasion and on another occasion had temporary difficulties in renewing his residence permit.

One of the most visible attacks on the church involved a plot to entrap the head of the Catholic radio station. The priest, who was lunching with a female parishioner, was forced to disrobe by an intruder and then led off naked by the police who detained him for six hours. Pictures of the naked priest shown on Sandinista TV and published in pro-government newspapers deeply shocked the populace.

In August a letter critical of the "popular church," from the Pope to the Nicaraguan bishops, was temporarily banned. The censors later reversed their positions and ordered the letter to be published together with a government declaration against the letter. Government actions against the Catholic church have also been criticized by the President of the National Conference of Catholic Bishops and the Vatican newspaper.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Early in 1982, in the wake of fighting with anti-Sandinista groups, security forces forcibly removed thousands of Miskito Indians from their traditional homes along the Coco River boundary between Nicaragua and Honduras. Between 8,000 and 10,000 were moved at gunpoint, many of their houses burned, and their animals killed. As noted above, some cases of executions of Indians have been documented by Miskito leaders.

Most of the Indians were given only a few hours to collect their belongings, and the majority of them were forced to walk for days through the jungles to relocation camps in Nicaragua's interior. Originally, they were not permitted to leave these camps, but subsequently this restriction was relaxed. They have not, however, been permitted to return to their traditional homes. The Government has provided to the relocated Indians food, medical services, and education. However, the Miskito culture is based on a combination of fishing and agriculture and their relocation sites are far from the rivers which formed an integral part of their traditional way of life. Another 11,000 to 14,000 Miskitos fled to Honduras. An additional 3,000 non-Indian Nicaraguans have fled to Honduras in the past year.

The condition and treatment of the Miskito Indians was the subject of an on-site investigation by the Inter-American Commission on Human Rights in 1982. The Commission submitted a report to the Government which has not yet been made public.

The entire Nicaraguan east coast is a restricted military area and Interior Ministry permission is needed to travel there. Permission is seldom granted to non-residents to travel to the northern half of the east coast, and it is often difficult for residents of the area to return once they have left.

With the imposition of the state of emergency, the Government temporarily restricted travel out of the country by any opposition figures. Government officials and doctors need special permission to leave the country. These restrictions have eased and as of December 1982 there were few reports of Nicaraguans encountering difficulties entering or leaving the country.

Since 1979 thousands of Nicaraguans have left the country because of their opposition to the Government. Some 5,000 to 10,000 went to Honduras and a similar number to Costa Rica. Several thousands have come to the US.

Nicaragua in turn has received approximately 20,000 refugees from El Salvador, hundreds from Guatemala, and a few from other countries. These groups are provided refugee status and assistance from the Government. They are given all the rights and privileges of Nicaraguan citizens including access to social services and education. Hundreds of Salvadoran refugees are living in camps, but the vast majority are integrated into Nicaraguan society. The Salvadorans are free to remain or to leave as they choose.

e. Freedom to Participate in the Political Process

A three-man junta formally governs Nicaragua, but political power rests with the nine members of the Sandinista Directorate. While the Sandinistas claim to be committed to political pluralism, the sphere of activity left for the opposition decreased considerably in 1982. There have been no elections since the Sandinistas came to power; the FSLN has postponed holding them until 1985. The FSLN, as the self-proclaimed vanguard of the revolution, dominates the political life of the country. It has, in its three years in power, repressed and harassed the opposition parties. In 1982 these actions included Sandinista mob attacks on opposition party headquarters, jailing of activists, and the prohibition of a Conservative Party rally. Nevertheless, the opposition continues to organize and participate in the national legislature, the Council of State, whose power is limited, and which is dominated by the Sandinistas.

The state of emergency eliminated the right to form political parties. However, the practice has varied and the Sandinistas did not object when the Social Christians celebrated their 25th anniversary with a relatively large public meeting.

Censorship under the state of emergency has seriously circumscribed the political opposition access to the media. Their only instruments for communication with the public are their party letters and bulletins, some of which have a substantial circulation.

All opposition political parties have had members in jail, generally accused of anti-Sandinista activities. Repeated efforts by the party leaders to effect the release of their activists have usually been unsuccessful. One political party, the Nicaraguan Democratic Movement, gave up the civic battle and its leaders, including former junta member Alfonso Robelo, went into exile in April 1982.

The year 1982 began with the promise of negotiations between the opposition and the Sandinistas on a law governing political parties. The FSLN, however, suspended discussions in February. In September, it took the initiative to renew the dialogue with the opposition. This new dialogue has not yet yielded concrete results, although there has been discussion of the need for a law which would provide adequate guarantees for opposition parties.

Sandinista leaders have stated on numerous occasions in 1982 that elections will be held in 1985 provided political conditions permit. They have made clear, however, that the elections will not contest their control of the Government and will not resemble the "bourgeois" Costa Rican electoral system. Thus far, the Sandinistas have not created the institutional framework for the elections.

There is no official discrimination against women in Nicaragua. Women are active at all levels of Nicaraguan society and in the Government. There is one woman in the Cabinet and another one in the Supreme Court. Close to half of the members of the Council of State are women. One opposition party and the independent human rights commission are led by women.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Government has welcomed the interest of the international community in human rights observance in Nicaragua and claims that it has a human rights record of which it is proud. As discussed above, in 1982 the Inter-American Human Rights Commission visited Nicaragua, primarily to investigate charges of the mistreatment of the Miskito Indians. In addition, in its annual report the Commission expressed concern about due process in the Nicaraguan judicial system and called attention to restrictions on freedom of the press and to conflicts between the Catholic church and the Government. It also highlighted the Government's lack of progress in respecting ideological pluralism and expressed concern about the conditions that will govern the 1985 elections. The Government contested an Amnesty International letter protesting the existence of political prisoners.

There are two human rights organizations operating in Nicaragua. The Independent Permanent Commission on Human Rights has been monitoring human rights since 1977 and played a significant role in exposing violations committed by the Somoza regime. In spite of government pressure, it continues to publicize excesses committed by the Sandinista regime. However, the former national coordinator, Jose Esteban Gonzalez, now in exile, was charged and convicted in absentia for having participated in an alleged anti-Sandinista plot. In addition, security forces arrested a Commission employee who was distributing a bulletin describing the torture and killing of the taxi driver noted above. The employee was convicted of disrespect for authority and served a two-month jail sentence.

In the latter months of 1982, the Government stepped up its harassment of the Commission. A Commission employee was arrested and Commission informants threatened by the Government. Interior Ministry officials have threatened to impose prior censorship on Commission bulletins. Nevertheless, the Commission continues to maintain careful records of human rights violations and to present its cases to government and international organizations.

The Government created an official Commission for the Protection and Promotion of Human Rights in 1980. This commission defines its work as convincing government officials of the importance of the observation of human rights. It has reviewed some trials and recommended release of prisioners in a few cases, but its accomplishments are few.

Nicaragua is a signatory of the Inter-American Convention on Human rights which it has ratified, of the United Nations Statute and Protocol on Refugees, and of the United Nations Declaration on the Elimination of Discrimination Against Women.

4. Economic, Social, and Cultural Situation

Nicaragua is a poor country of 2,917,000 people (1982) with a GNP per capita of $901 and a population growth rate of 3.3 percent. Nicaraguans have a life expectancy at birth of 56.4 years. There are serious economic contraints on the Government's ambitious goals of providing greater access to public services, particularly in education and health. Foreign exchange shortages have caused drug and medical supply shortages.

The basic Statute of Rights and Guarantees prohibits discrimination on the basis of sex, race, or religious preference. Although this guarantee was suspended by the state of emergency, the Government does not discriminate in meeting economic and social needs on these grounds. Women serve as ministers and vice ministers, in the supreme court, and hold significant positions within the Sandinista Front.

When the Sandinistas came to power in July 1979, Nicaragua faced virtual bankruptcy. The Government made economic recovery its immediate goal and the prerequisite to an effective redistribution of wealth promised by the revolution. In 1982, the economy stalled at well below pre-revolutionary levels. In 1982 exports were about $430 million (compared to the pre-revolutionary level of $650 million). Foreign assistance from Western nations and the Soviet Bloc was less than in previous years. Inflation for 1982 was about 25-30 percent due to a large central government deficit and higher demand for credit. Some 25 percent of the work force is unemployed and labor productivity remains below pre-revolutionary levels.

Flooding, drought, and current low international commodity prices have contributed to Nicaragua's 1982 economic problems. The lack of political stability and investor confidence has also contributed to the stagnation of the economy. The Nicaraguan private sector still accounts for aproximately 60 percent of gross domestic product. Although government leaders have reiterated their intention to foster a mixed economy, arbitrary property confiscations and the Government's Marxist rhetoric have discouraged private investment. In 1982 there were additional instances of arbitrary confiscation of land for apparently political reasons, but few cases of confiscation of industrial properties.

The Government has implemented discriminatory credit policies against the Nicaraguan business community. The FSLN has used its media to portray the large and medium-size business as anti-Sandinista and exploiters who protect their own interests at the expense of the working class. Three top business leaders, who were imprisoned in October 1981 for protesting the Government's policies, were released after serving four months in prison. Despite strained relations between the Government and the private sector, the business community continues to vigorously pursue a pluralistic society and the preservation of a mixed economy.

The Government has made efforts to improve general health services. Health campaigns in 1982 provided vaccinations for several common diseases such as polio and malaria. Polio was reportedly eliminated. Major subsidies were given to basic grains, oil, eggs, and milk. Medical services and medicine provided in hospitals and health centers are free. New health centers and regional hospitals are being built. Medical visits have increased 90 percent over pre-revolution levels. The leading pre-revolutionary cause of infant mortality, diarrhea, has fallen to sixth among causes of infant deaths. The infant mortality rate was reduced from the pre-revolutionary level of 122 deaths to 90.5 deaths per 1,000 live births in 1980. About 95 percent of Nicaragua's urban population and 10.4 of its rural population have access to safe water.

Education is another high priority for the Sandinistas. The Government claims, through a 1980 literacy campaign, to have reduced illiteracy from 50 percent to 12 percent. The Government maintains an adult education program to supplement the gains in the literacy campaign. It has constructed 2,696 new schools since 1979. Over a million students were in school in 1982 compared to 502,000 in 1978. Adjusted primary school enrollent is 80 percent. The Government provides subsidies for mass transporation, although shortages of spare parts have hampered efforts to provide adequate mass transportation. It has a modest low-cost housing program which, from mid-1981 to mid-1982, completed 1,892 houses and began constructon on 3,698 more.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: NICARAGUA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	38.7	59.8	6.3
LOANS...............	30.0	48.0	0.0
GRANTS..............	8.7	11.8	6.3
A.AID	19.4	58.4	5.8
LOANS...............	15.0	48.0	0.0
GRANTS..............	4.4	10.4	5.8
(SEC.SUPP.ASSIST.)...	1.1	56.6	5.1
B.FOOD FOR PEACE........	18.0	1.2	0.4
LOANS...............	15.0	0.0	0.0
GRANTS..............	3.0	1.2	0.4
TITLE I-TOTAL..........	15.0	0.0	0.0
REPAY. IN $-LOANS.....	15.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL..........	3.0	1.2	0.4
E.RELIEF.EC.DEV & WFP.	2.6	0.6	0.4
VOL.RELIEF AGENCY.....	0.4	0.6	0.0
C.OTHER ECON. ASSIST...	1.3	0.2	0.1
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.3	0.2	0.1
PEACE CORPS.......	0.1	0.1	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER.............	1.2	0.1	0.1
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	38.7	59.8	6.3
LOANS...............	30.0	48.0	0.0
GRANTS..............	8.7	11.8	6.3
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	55.3	112.9	50.4	698.4
IBRD	20.0	33.7	16.0	231.0
IFC	0.0	0.0	0.0	9.5
IDA	32.0	0.0	0.0	55.6
IDB	0.0	75.0	34.4	375.5
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	3.3	3.5	0.0	21.4
OTHER-UN	0.0	0.7	0.0	5.4
EEC	0.0	0.0	0.0	0.0

PANAMA

Panama's last elected constitutional government was ousted in a military coup d'etat in 1968 and ultimate political power has rested in the National Guard since then. During most of this period, the Commander of the National Guard, the late General Omar Torrijos Herrera, was the actual head of government. In 1978 Torrijos proposed and the National Assembly approved his nominations of Aristides Royo and Ricardo de la Espriella to serve as president and vice president, respectively, until national elections in 1984. Torrijos continued to serve as Commander of the National Guard until his death in an airplane accident in 1981, when he was replaced as Guard Commander by Colonel Florencio Florez. In March 1982 Florez retired and was replaced by then Colonel Ruben Dario Paredes; Royo resigned in July 1982 and was succeeded by Vice President de la Espriella.

During 1982 Panama continued to move toward a full democratic government, a process to culminate in the direct national elections scheduled for 1984. President de la Espriella as well as Guard Commander Paredes have repeatedly stated that they intend to hold honest and open national elections in 1984; preparatory thereto, a national electoral census was conducted on December 12, 1982. Freedom House, in its 1982 report, places Panama among those countries that are "partly free." Opposition political groups have strengthened their existing organizations or formed new ones. Nine political parties, representing wide-ranging shades of political opinion, are legally inscribed and at least six others are in the process of registering.

Public debate flourished during 1982, and criticisms of government programs and policies grew in the media. Following the resignation of President Royo, however, the National Guard closed all newspapers for a week, for which it was roundly criticized.

The Government continued its generally good record of respect for the integrity of the person. It is taking further steps to improve the administration of criminal justice and the prison system, especially to end flagrant abuse of the human rights of certain inmates committed by prison officials during the year. Most notably, overcrowding in the prisons was relieved somewhat by the continued development of a rehabilitation center at the penitentiary formerly operated by the Canal Zone Government and transferred to the Panamanian Government at the close of 1980.

Despite severe budget constraints, during 1982 the Government continued to carry out its economic and social development program, which is oriented toward meeting the basic needs of the poorer sectors of the population. Policies aimed at fostering private enterprise were largely responsible for the maintenance of a moderately healthy growth in the economy through 1980. This growth slowed in 1981 and 1982, largely because Panama's economy is closely tied to the United States. Unemployment is nearly 20 percent nationally, and in Colon, the Caribbean terminal city of the Canal, approximately 40 percent.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

During 1982 there were no executions or killings for political motives by the Government or opposition groups. There are, however, occasional reports of prisoners being beaten, and in October two teenage prisoners in the juvenile rehabilitation center in Colon were beaten to death.

b. Disappearance

There were no cases of disappearance of apprehended persons in 1982 and there have been no reports of clandestine apprehensions. There are no quasi-official or extra-legal security forces in Panama. The Constitution provides for habeas corpus and requires warrants for arrests, except for those seized while committing crimes.

c. Torture

The Constitution prohibits self-incrimination, and, implicitly, the use of torture. During 1982 there were some allegations of mistreatment and one case (mentioned above) in which two detained juveniles in Colon were allegedly tortured and beaten to death. While the incident excited wide-spread public indignation and high level governmental concern, the trial of those accused has not yet begun.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution limits criminal punishment to fines and/or prison terms of a maximum of 20 years for a single offense. Hard labor may be imposed, but the Constitution prohibits measures that harm the physical, mental, or moral integrity of persons under detention. There are violations of these prohibitions [see above], but they are infrequent.

Very crowded and poor living conditions in prison result from lack of economic resources rather than government policy or an intent to degrade prisoners. For instance, the model jail of Panama City, built in 1925 to house 225 prisoners, now has over 600 inmates, and most sleep on the floor. The de la Espriella Government has recognized the problem publicly and is looking for ways to improve prison conditions.

In 1981 the Government began operating the penitentiary formerly used by the Canal Zone Government and has undertaken a program to transform the prison into a rehabilitation center. The new installation has reduced crowding in the prison system. Prison authorities have initiated a program with a major private enterprise service organization to strengthen the rehabilitation program in the main prison as well and the Government has announced its intention to attempt to relocate prisoners from the Coiba Island penal colony.

Government policy prohibits discriminatory treatment of prisoners on the basis of class, race, sex, or religion. Food and other prison services beyond those normally provided may be purchased by those able to afford them.

e. Arbitrary Arrest and Imprisonment

With few exceptions, Panamanian police and judicial authorities adhered to legal and procedural standards in 1982. Panamanian and foreign observers have noted, however, that juvenile delinquents are occasionally tried and incarcerated as adults, especially when they are considered to be hardened criminals. There also have been charges that juveniles and poor people with criminal records have been detained and pressured during interrogation to confess to crimes they may not have committed. Other reported practices -- publicly criticized in the Panamanian press by government officials and private citizens -- include summary hearings and convictions for misdemeanors before "night court" judges without duly prescribed defense counsel.

The Constitution provides for habeas corpus and requires warrants for arrest, except for those seized in the commission of a crime, and does not allow preventive detention. As a rule, these safeguards are observed by the Government. Pre-trial detention, especially for people from lower economic classes, can last up to eight months in some cases, and is recognized as a problem by the Government. A suspect may be held for no more than 24 hours following arrest without being brought before competent authority; however, the accused may be held in custody for as much time as it takes to conduct the investigation and obtain an indictment or dismissal. This time is credited against any sentence imposed.

f. Denial of Fair Public Trial

The administrative code mandates public trials based on oral testimony and argument and gives the accused the right to be present. In most criminal cases, however, the court process consists of written presentations by the prosecution and defense without the presence of the accused. The documents produced are available for examination by both sides. According to authorities, the burden of proof rests on the prosecutor, but the right to appeal both the charges and sentence is available to the prosecution as well as the defense. Panamanian police must bring charges against the accused at the time he is arrested or summoned; the failure to make such charges personally to the accused has led to invalidation of sentences. A new administrative code was promulgated in 1982, and a new penal code and a revised judicial code are expected soon.

The Supreme Court is charged to uphold the Constitution and the laws, and magistrates and judges are legally independent. In practice the judiciary is not politically independent from the executive in all cases. The preponderant influence of the executive as against the judiciary is traditional in Panama.

There is no military jurisdiction over civilians in Panama. The National Guard has no code of military justice; its members are subject to civil law. Because of its concern over the provision of defense counsel, the local bar association has a public defender service.

g. Invasion of the Home

Under the Constitution, judicial warrants must be issued before officials may enter homes, but there was at least one violation of this guarantee during 1982. Telephones are considered widely to be tapped by the National Guard on grounds of national security. No judicial order is required to permitwiretaps and there is no legal restraint on such activity. Wiretap evidence, however, is not used in criminal or civil cases.

2. Respect for Civil and Political Liberties, Including:

a. Freedom of Speech and Press

The Constitution guarantees freedom of speech, press, and other forms of communication without censorship. There is no interference with academic freedom. Views of opponents of the present government are circulated widely by the press and radio and in public speeches, including their criticisms of the public activities of Panamanian officials. The opposition newspaper, "La Prensa," which began publishing in 1980, was an influential news medium during 1982, and radio and television commentators publicly criticize government programs and policies.

Despite constitutional guarantees, however, some Panamanian leaders have occasionally attempted to intimidate the press in the face of criticism. Following the resignation of President Royo in July 1982, the Commander of the National Guard, General Paredes, "recommended" that all newspapers cease publishing for a week. Squads of national guardsmen enforced the "recommendation". While in the custody of the National Guard, the computer-operated printing system of the increasingly vociferous "La Prensa" was vandalized, with damages estimated at U.S. $100,000. President de la Espriella within the week ordered that the papers be permitted to reopen. An official inquiry by the National Guard which cleared it of any wrongdoing was ridiculed in "La Prensa." "La Prensa" continues to criticize government policies and officials and says it has received warnings about this from the Guard. Some "La Prensa" writers have said that they received death threats from unknown sources. There has not been any significant pressure exerted against the paper's advertisers.

The other six newspapers, while they air opposition viewpoints, exercise considerable self-censorship. Three government-owned papers which often took strongly leftist, frequently anti-American positions, moderated their rhetoric following the temporary closure after Royo's resignation. There is no censorship of foreign newspapers, magazines, books, cable TV programming, or artistic works, including pornography. A commission on pornography was set up by the Ministry of Government and Justice, but it appears to have only advisory powers.

Although public debate flourishes, a 1978 law places in the hands of a government-dominated board the power to judge the professional competence of practicing journalists or those seeking to enter the profession. While the board has rarely been used punitively, its existence is perceived as intimidating, and "La Prensa" has claimed difficulty in staffing its operations. The law has been criticized by the Inter-American Press Association as interfering with freedom of the press. This past spring, President Royo restored professional licenses to two of four prominent radio commentators whose rights to broadcast he had revoked in 1979. President de la Espriella restored licenses to the remaining two broadcasters shortly after assuming power.

b. Freedom of Peaceful Assembly and Association

The Constitution guarantees the right of peaceful assembly without arms and for a legitimate purpose. Authorities legally can control the exercise of this right if it interferes with traffic, threatens public order, or violates the rights of third parties. According to the Constitution, demonstrations on public property require 24-hours advance notice to the authorities, but this advance notice has not always been required. There have been no cases of banned demonstrations and those carried out spontaneously by teachers and students during 1982 were not stopped. Freedom of assembly is practiced by groups of various ideological backgrounds as well as by professional organizations. When violence and property destruction have occurred, police have intervened and restored order, usually without brutality. Professional, social, and political groups, as well as trade unions, meet without interference.

There are ideological as well as non-political labor organizations in Panama. Union elections are democratic, fair, and free from government interference. Consultation with unions about government policies (particularly employment issues) is institutionalized through a national commission that includes representatives of the major labor organizations. Both collective bargaining and strikes are constitutionally-guaranteed rights of workers, although government regulations restrict or forbid this right for certain government employees. Panama has a moderately progressive labor code, and union rights are respected.

c. Freedom of Religion

The Constitution guarantees religious freedom to all in law and in practice, and there is no state religion. There are no restrictions on proselyting by religious groups and General Paredes has said that all of them are welcome in Panama to contribute to the country's development. Large numbers of religious groups operate freely in Panama.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution permits Panamanians to move freely within the country and to emigrate -- rights which are honored in practice. It also prohibits compulsory exile. Civilian exiles, from the days of the Torrijos regime, have returned and have resumed full participation in Panamanian society. Some military exiles remain abroad, but General Paredes has stated publicly that all are welcome to return to Panama.

Panama has accepted refugees of widely differing ideological persuasions, with hundreds of refugees or self exiles in residence. The Government, however, pleading insufficient resources to meet satisfactorily the needs of its own citizens, has participated only minimally in refugee resettlement programs. One group of several hundred Salvadorans is now resident in a resettlement village. Except where there is evidence of past political persecution, the Panamanian Government has not recognized the rights of asylum for seamen who desert their ships in Panama. No cases of forcible repatriation of political exiles occurred in 1982.

e. Freedom to Participate in the Political Process

Panama is a unitary state governed by a president with strong executive powers. Ultimate power, however, rests with the National Guard. Under the 1972 Constitution (amended in 1978), the President shares power in law and in fact with the legislature, judiciary, and National Guard. The President is required to rule "in harmony" with the Guard, which often exerts a significant influence in politics. Power is informally shared in varying degrees by interest groups such as business, the official political party, labor, the information media, political independents, and even opposition groups.

Following the military coup of October 1968, there were no elections in Panama until 1972. A ban on political parties, not strictly enforced, was in effect from 1969 until 1978 when legislation providing for their legal recognition was adopted.

The opposition parties' new legal status legitimized their criticism of the Government and represented an advance for free speech and free assembly as well as allowing increased participation by citizens in the political process. In 1980, political parties participated as organizations for the first time since 1968 in the elections to the Legislative Council. The Government is carrying out a program of return to full democratic processes which is to culminate in the general elections of 1984.

In 1978, the 505-member National Assembly was elected by secret, popular vote in local elections for a six-year term. Only the government party was permitted to run candidates. The Assembly in turn elects two-thirds of the members of a 56-member National Legislative Council from the Assembly's own membership; one-third are chosen through direct popular election. The first legislative council popular election took place in 1980, in which seven of the nineteen seats contested were won by the opposition and two by independents. Despite a strong showing in the direct election, the opposition remains a small minority in the Council, as all of the 37 members chosen by the National Assembly are pro-government.

In the wake of the 1980 election, numerous groups sought registration as political parties. Nine succeeded, ranging from communist to conservative; most tend to be relatively moderate. At least six others are in the process of registering.

President Royo resigned in July 1982, reportedly under pressure from the National Guard although some believe he had tired of the office and preferred to move to Spain as Panama's Ambassador. Following President de la Espriella's succession, access to decision-making positions in the Government broadened to include technocrats and independents, and even a few members of opposition parties, where before most positions were reserved for official party adherents.

The National Guard Commander who succeeded General Torrijos in 1981, Colonel Florencio Florez, retired in March 1982. The new Commander, General Paredes, like the President, has publicly expressed his commitment to the constitutional processes initiated by Torrijos, in particular the holding of free and honest national elections for president and the legislature in 1984. The biggest factor in favor of the democratization process is the overwhelming momentum and support across the spectrum for free elections. The Panamanian people have not had a presidential election since 1968, have been promised one in 1984, and expect it. Support for this process is virtually universal and, barring an economic breakdown, elections are expected to proceed as scheduled. An electoral tribunal has been at work for some years, and a new electoral law designed to make fraud difficult is nearing completion. A national electoral census was conducted on December 12.

Women are accorded equal political rights under Panamanian law, but participate in politics to a lesser extent than men. For example, 30 of Panama's 505 legislators are women, and one of the legislature's nine vice presidents is a woman. Nevertheless, women play an active role in political and governmental affairs, and hold a number of important political and governmental positions. For example, the Minister of Education, the president of the ruling political party, one of the three members of the electoral tribunal, three of Panama's nine provincial governors (including the governor of Panama province), one of the nine Supreme Court Justices, and the head of the post office are women. There are also several organizations comprised of women, such as Unidad and Accion Femenina, which are active in Panamanian politics.

Panama is a country of minorities. The Government and bureaucracy have traditionally been dominated by Panamanians of European descent, but members of all of Panama's minorities are active politically. There is, for instance, a black cabinet minister, as well as a Vice Minister of Justice of Chinese descent, and blacks hold a number of high level government positions. In addition the National Guard is dominated by Panamanians who are either "mestizo" or of at least partial African descent. The National Guard Commander is in the latter category, and one of the key members of the general staff is black. These groups also dominate the legislature.

Panama's Indians also are active politically. About one-third of the National Assembly is Indian because Panama's political districting tends to favor sparsely populated areas where Indians are a majority. In addition one-third of Panama's districts are headed by Indians and they play significant roles in the governments of the four important provinces of Darien, Chiriqui, Bocas del Toro, and Veraguas. Some of Panama's Indians, such as the San Blas Indians, live in self-governing semi-autonomous districts, and are not as active on the national political scene.

Other important minorities, such as Jews, Lebanese, Chinese and East Indians, have until recently concentrated their efforts in economic fields, and have tended to avoid direct involvement in political activities.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Government has espoused human rights causes in the Organization of American States, the United Nations, and elsewhere. A human rights committee formed in Panama in 1978 operated freely in 1982. Panama was not mentioned in Amnesty International's 1981 or 1982 reports.

4. Economic, Social, and Cultural Situation

During the past 15 years, the Panamanian Government has expanded and extended education and health care programs into the countryside and poorer urban neighborhoods, invested large sums in infrastructure projects (roads, electricity, telecommunications, water systems) and improved national socio-economic integration through greater attention to provincial population centers.

Declining infant mortality and death rates suggest improvements in the area of public health. Infant mortality dropped from 37.6 per thousand in 1971 to 21.1 per thousand in 1981. Between 1971 and 1981, the death rate per 1,000 live births dropped from 6.7 to 4.2. In 1981, there was one doctor per 1,000 persons, an improvement over the one per 1,389 persons in 1971. Life expectancy at birth was 70.4 years in 1980.

Along with the falling mortality rate, the birth rate has also been declining, dropping from 37.2 per thousand in 1971 to 27.7 per thousand 10 years later. The annual population growth rate declined from 3 percent to 2.4 percent during the same decade. Panama's total population was estimated at 1,966,000 in 1981.

In 1981, 82.8 percent of the total population had access to safe water. The ratio of calorie supply available for consumption relative to nutritional requirements was calculated at 101 percent in 1977.

Access to education has improved as well. According to available data, 115 percent of the population in the appropriate age group was enrolled in primary education in 1979. (This figure is more than 100 percent because some persons outside the primary age group are enrolled and possibly because the age group may be slightly under-counted.) The adult literacy rate was about 85 percent in 1979.

Panama's Constitution states that economic activities fall primarily within the private sector, but authorizes the state to orient, direct, regulate, replace, or create economic activities to increase the nation's wealth and to assure benefits of the economy for the greatest possible number of people. Private property is respected in law and practice, and citizens, without regard to sex, social origin, birth, race, religion, or political opinion, are guaranteed a right to own property, as well as to avail themselves of any economic benefits, programs or services of the state. The 1972 Constitution, however, limits the rights of naturalized Panamanians to participate in retail commerce.

After relatively good years in 1978-80, recent economic performance has been weak as a result of deteriorating regional and world-wide conditions. Real per capita gross domestic product is approximately $2,000, a relatively high figure for the third world. However, this conceals the fact that there are many people in Panama who are very poor. The Panamanian consumer price index increased 13.8 percent in 1980, but this increase dropped to 7.3 percent in 1981 and to 3.9 percent for the period October 1981 to October 1982.

Official figures show unemployment at about nine percent for 1979 (the latest year for which statistics are available), but the current rate probably is nearly 20 percent. How to employ the ever-growing number of job seekers is the country's most serious economic and social problem. Because of the age structure of the population, the economy would have to grow at a much faster rate (real growth of eight percent or more) or become much more labor intensive in order to reduce unemployment. The Government of Panama is actively seeking foreign private investment and attempting to provide appropriate incentives to private enterprise in an effort to bring about improvement.

According to most recent US Agency for International Development studies, an estimated 35-40 percent of the population lives under conditions of poverty, that is, with an income barely or less than adequate to provide for a family's basic needs. Of this group, approximately half, or 20 percent of the country's population, lives in serious or extreme poverty -- unable to provide for basic necessities. Although a larger percentage of the poor is found in rural areas, the trend toward an urbanized society indicates that, within this decade, Panama's poor population may be split evenly between the urban and rural areas. Although figures for earlier periods are not available, it can be assumed that current poverty figures represent a significant improvement over the situation a decade ago. Further, because of the availability of a variety of public services, such as health clinics and school and maternal/child feeding programs, even the poorest families have a cushion which eases their economic situation.

Panama's social system and legal code accord equal treatment to women and to men. The Constitution prohibits discrimination on the basis of race, birth, social class, sex, religion, or political ideas. The Constitution also requires equal pay for equal work without distinction based on sex. The Constitution gives pregnant employees 12 weeks mandatory maternity leave and the right to return to their jobs.

Panamanian women enjoy a high level of social freedom; many are active in politics, business, government, the military, and academia. But women in general still do not share the same opportunities for individual and collective advancement available to men. As Panamanian law does not recognize community property, divorced or deserted women often suffer financially. From 1974 through 1978, the country experienced a severe recession, causing widespread unemployment and underemployment, both of which were especially high for women. The Government estimated in 1977 that 14 percent of the femalework force was unemployed and 44 percent underemployed; the comparable figures for men were 10 and 18 percent, respectively.

Female employment in urban Panama is concentrated in the service sector, where wages are generally lower; wages paid to women are lower than those for males and increase at a much slower rate. Comparatively fewer women than men participate in the labor force, and their participation seems to fluctuate as the job market expands and contracts. Government statistics showed that in 1978 women made up about 29 percent of the economically active work force.

In the late 1970s it was estimated that there were between 90,000 and 100,000 Indians living under tribal organization in the country. There were three major groups -- the Guaymi, the Cuna, and the Choco. They were concentrated in three distinct and widely separated localities, where they were thinly distributed and exposed to varying degrees of contact with the rural non-Indian Panamanians in the same territories. The Indians in these three groups have elected to remain in their own semi-autonomous communities, subject to tribal government, and to live according to their own traditions.

While the Cuna have a semi-autonomous territory called a comarca, the Guaymi and Choco do not and are under increasing pressure from settlers and large companies encroaching on their traditional lands. The Indians feel that the creation of a comarca is their foremost concern and have found support for their cause at home and abroad, especially in Europe. The Government has promised to work with the Indian leaders on the details of the establishment of comarcas. Many meetings have been held with the Guaymi, but as yet there is no sign that the comarca is about to become a reality.

The tribes are assisted in certain respects by the central and the provincial governments, particularly in matters of public health and welfare, and are regulated by the Ministry of Government and Justice when circumstances warrant. They are considered apart from the civil population and have a separate and largely autonomous political status. This does not, however, deprive them of the rights of citizenship, and they exercise full voting privileges. They are not restricted to their tribal areas, but most remain there by choice, reflecting their long-standing resistance to assimilation.

The more prominent among the small minorities are Jews, Arabs, Chinese, East Indians, and North Americans. All of these groups play roles in Panama's trade and commerce well out of proportion to their numbers. There is no legal discrimination against these or any other social or cultural groups. While innumerable exceptions exist, Caucasians and mestizos tend to be better-off economically and occupy higher positions in government and business than blacks and Indians.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: PANAMA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	2.0	10.6	13.0
LOANS...............	0.0	6.4	8.1
GRANTS..............	2.0	4.2	4.9
A.AID	1.0	8.7	11.7
LOANS...............	0.0	6.4	8.1
GRANTS..............	1.0	2.3	3.6
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	1.0	1.9	1.3
LOANS...............	0.0	0.0	0.0
GRANTS..............	1.0	1.9	1.3
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	1.0	1.9	1.3
E.RELIEF.EC.DEV & WFP.	0.1	0.0	0.0
VOL.RELIEF AGENCY.....	0.9	1.9	1.3
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.3	0.4	5.4
LOANS...............	0.0	0.0	5.0
GRANTS..............	0.3	0.4	0.4
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	5.0
C.INTL MIL.ED.TRNG....	0.3	0.4	0.4
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	2.3	11.0	18.4
LOANS...............	0.0	6.4	13.1
GRANTS..............	2.3	4.6	5.3
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	149.9	74.5	123.4	923.9
IBRD	58.0	45.5	24.4	382.9
IFC	0.0	0.0	0.0	8.3
IDA	0.0	0.0	0.0	0.0
IDB	91.4	28.5	99.0	505.8
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.5	0.5	0.0	22.6
OTHER-UN	0.0	0.0	0.0	4.3
EEC	0.0	0.0	0.0	0.0

PARAGUAY

Paraguay traditionally has been governed by autocratic regimes, and its history has been marked by wars, insurrections, and coups. The country has been ruled under the state of siege provisions of the Constitution almost continuously since 1929. President Alfredo Stroessner, an army general, has governed Paraguay since 1954 under these provisions and there has been no effective challenge to his authority. His rule, based on the support of the military and exercised through the Colorado Party, has brought tranquility, stability, and economic growth to Paraguay, but at a considerable cost to political rights and individual liberties. Major violations of the integrity of the individual have decreased since the mid-1970's. However, there were increased detentions and no improvement in the areas of political rights and individual liberties in 1982.

Nominally democratic elections for the presidency and the national legislature are held every five years but, in practice, political power is concentrated in the executive branch, the military, and the Colorado Party, with little effective opposition participation or influence permitted. Three opposition parties are recognized by the Government and allowed to present candidates for national and local office. On the basis of a formula which grants the winning party two-thirds of the seats, the two opposition parties that chose to participate in the 1978 elections shared the remaining one-third of the seats in the national legislature.

Paraguay has enjoyed rapid economic growth in recent years, with a quadrupling of the per capita gross national product during the last decade to $1,342 in 1980. More recently, the economy has fallen victim to the current worldwide recession. While most elements of the population benefitted in absolute terms from the economic growth, income disparities have increased. This has been true particularly in the past year as the deteriorating world economic situation, in addition to the negative regional and national economic developments, sharply curtailed Paraguay's economic expansion. Paraguay's stable government, conservative fiscal and monetary policies and laissez-faire approach to trade and investment have encouraged some private investment, but the absence of a formal government policy to spur private investment has contributed to the rapid expansion of state-owned enterprises. The Government continues its land distribution program which has benefitted perhaps one sixth of the nation's population.

The human rights safeguards in the Paraguayan Constitution frequently are not fully upheld. The judiciary, while formally independent, does not serve as an effective check on actions of the executive. Constitutional guarantees such as protection of the integrity of the individual, the need for judicial warrants, freedom of assembly and association, the right of habeas corpus and a prompt and fair trial for the accused often are ignored by government officials. While the state of siege is legally in force only in the capital, security officials operate as though it existed throughout the country.

Only members in good standing of the dominant Colorado Party can participate fully in the political process. Affiliation with the Colorado Party is often a prerequisite for government employment and significant participation in Paraguay's economic activity.

Paraguay does not have an independent trade union movement. The existing labor federation is controlled by the Government.

Many confessional denominations conduct their activities freely but a few religious groups have difficulty in obtaining government acquiescence for their operations.

In 1982, there was a marked increase in the number of detentions, for periods lasting from a few hours to several weeks, during which the detainees usually were held incommunicado and without charges. There were no killings for political motives and no disappearances are known to have occurred. The Government frequently prevents or harasses meetings organized by opposition political groups, whether or not they are recognized juridically as political parties. The Government also continues to deny passports to citizens identified as hostile to the regime, and it has refused to permit the return of Paraguayan dissidents now living in exile, while deporting others.

Recognized opposition politicians are sometimes able to air their views through radio broadcasts but almost never appear on television. The unrecognized opposition has no access to the electronic media. The newspaper El Pueblo, the organ of the Febrerista Revolutionary Party, was permitted to resume publication in 1982 after a ban of almost two years. Freedom House, in its 1982 report for 1981, classified Paraguay as Partly Free.

The number of political prisoners and the incidence of gross violations of individual and human rights have decreased sharply since the mid-1970's, when armed guerrilla groups attempted to gain a foothold in Paraguay's rural areas. In 1977, it was estimated that some 600 persons had a possible claim to political prisoner status because they were being detained arbitrarily. The number of long-term detainees shrank to around 30 by 1980, and it has fluctuated since between 20 and 70. These figures include cases which involved violations of civil or criminal law but where political factors would seem to have been involved. Amnesty International's 1982 report, covering 1981, states that there were "some 25 political prisoners at the end of 1981."

The situation in Paraguay continues to be characterized by the subordination of the judicial and legislative branches of government to the executive, and the frequent circumvention of the Constitution's civil and political liberties through invocation of its state of siege provision.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

No killing for political motives or killing by government or opposition political organizations for other motives occurred during 1982.

b. Disappearance

No case of disappearance is known to have occurred during 1982.

c. Torture

The Paraguayan Constitution specifically guarantees the protection of the physical integrity of the individual. However, allegations of the use of torture by police authorities to obtain information still surface occasionally. The number of allegations increased in 1982 primarily in connection with a case involving a group of alleged communists. Most of the group charged that they were under physical and mental duress when they signed confessions. Charges of torture are neither acknowledged nor refuted by the Government, and no known investigations or disciplinary actions have been taken against officials in cases of alleged torture.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Physical punishments are not administered as sentences for crimes. The Paraguayan police are reliably reported to mistreat prisoners during the early stages of detention, but prominent political detainees seem less subject to such mistreatment. Conditions are poor in police stations where most detainees first are held. In most cases, once formal charges are presented to the courts, detainees are transferred to regular prison facilities, where conditions are generally better. There were no specific, new reports in 1982 of cruel, inhuman, or degrading treatment during detention in regular prison facilities. Court officials visit regular prison facilities each year and interview detainees.

e. Arbitrary Arrest and Imprisonment

The Paraguayan Constitution has permitted the Government to impose a state of siege almost without interruption since 1929. The state of siege effectively suspends habeas corpus and the right of legal counsel and permits the Government to detain suspects arbitrarily for indefinite periods of time. Although the state of siege was lifted except for the capital in 1978, the courts have ruled that prisoners may be moved to Asuncion and held there. Police authorities often act as though the state of siege were still in force throughout Paraguay. The state of siege provision in the Constitution is supplemented by Law 209, the elastic "anti-subversive" statute, although defendants prosecuted under this law enjoy the rights to habeas corpus and legal counsel.

There was a marked increase in 1982 in the number of persons detained arbitrarily. While some of these detentions lasted from only a few hours to several days, some 400 persons were held without charges for periods of up to six weeks during April and May of 1982 in connection with a murder investigation.

As of December 29, 1982, there were 55 prisoners with plausible claims to political prisoner status. Included in this group were 36 of the 38 persons arrested in early 1982 for alleged communist activities. They were held for over three months before being charged formally with violations of Paraguay's anti-subversive Law 209 and submitted to regular judicial proceedings. Two of the 55 are members of the proscribed Communist Party who have been jailed, respectively, since 1979 and 1980. Seventeen were detained without formal charges under the state of siege. Apart from these, non-governmental human rights observers consider that another twelve prisoners are being held for reasons which may be affected in part by political factors. Prisoner releases in 1982 included Eugenio Ocampos Llama, detained without charges since 1981, and journalist Ramon Santiago Moreno, detained without charges for four months.

In its 1982 report for 1981, Amnesty International noted among its concerns in Paraguay: arbitrary arrest, detention without trial and torture.

f. Denial of Fair Public Trial

Paraguayan legal proceedings are reported in the press and are in formal accord with the Paraguayan Constitution. The judiciary is subject to executive and military influence however, and fair trials generally are not possible in cases involving political figures. Although the accused enjoy legal counsel of their own choosing, all judges are members of the ruling Colorado Party. In a number of cases, including ten persons held since March 1980 in connection with an armed attack on a bus, prisoners are held for lengthy periods of time while the courts consider the allegations. In cases where political factors may be involved, but where civil or criminal law may have been violated, the accused can expect to spend many months in prison before a verdict is rendered. Civilian defendants may appeal verdicts to higher courts.

g. Invasion of the Home

Under Paraguayan law, judicial warrants are necessary before security forces may enter private homes or businesses. However, under the state of siege, the police conduct searches, detain persons, and impound or expropriate personal property without judicial writ. Such actions were widespread in the aftermath of the Somoza assassination in 1980 and have continued intermittently ever since. Under the state of siege the Government also conducts warrantless house-to-house searches for "subversive elements" and impedes meetings of the officially unrecognized political opposition. Such meetings require police permits which are virtually impossible to obtain under the state of siege.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech is circumscribed. The print media operate with considerable freedom although they continue to exercise self-censorship, and the Government sometimes provides press guidance. Despite government pressures, the press in Paraguay reports independent and opposition viewpoints. While general criticism of government policies is tolerated, criticism of the President, the military, and key civilian leaders is not. Foreign press reports critical of Paraguayan politics and policies sometimes are published in local papers, but there have been cases where foreign publications containing critical articles have been confiscated or the offending material removed. The organ of the opposition Febrerista Revolutionary Party, El Pueblo, received Government permission to publish in 1982 after a hiatus of 21 months. However, the Government has not permitted the reopening of the periodical, La Republica, which was closed on December 30, 1981.

Domestic and foreign books which are considered immoral or disrespectful of the authorities are censored. Dissidents complain that their foreign correspondence is opened prior to delivery or often not delivered. Radio and television are controlled by the Government or its supporters. Reporting is less open than in the press. Television comments are always laudatory of Government leaders and programs. Opposition parties are not allowed access to television to air their views.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly is circumscribed. Opposition political parties, whether recognized by the Government or not, frequently are denied the right to hold public meetings. Government permission technically is not required for recognized opposition parties, but parties routinely inform the authorities in order to reduce the chances of police interference. A meeting of the recognized Radical Liberal Party was suspended by the government in July 1982. In May 1982, the unrecognized Authentic Radical Liberal Party sought permission to hold its party convention in a private home but the Government prevented convention delegates from entering the house, thereby forcing the meeting to be held furtively in another location. On two other occasions, the police harassed small meetings of this party held in private homes.

There is no independent trade union movement in Paraguay. Organized labor accounts for only about five percent of the work force. The Federation of Paraguayan Workers, which represents over ninety percent of organized labor, is the only legal national labor organization. It is controlled by the Government and dominated by the Colorado Party. A few unions with links to opposition political parties belong to the Federation, but union officials who differ from its general attitude sometimes are harassed or fired by their employers with the tacit support of the Government. While a few individual unions have shown some bargaining power, strikes are not permitted, and collective bargaining efforts have been frustrated repeatedly by private firms despite legal guarantees. Paraguay's labor unions do not maintain formal ties with any international bodies, but Paraguay does participate in some of the activities of the International Labor Organization. Professional associations that are legally recognized by the Government are allowed to conduct normal activities. However, groups which are perceived to be independent of Colorado Party control have difficulty in securing recognition.

c. Freedom of Religion

The Paraguayan Constitution establishes Roman Catholicism as the official religion, but it also guarantees freedom of conscience for other denominations. Adherence to a particular creed confers neither advantage nor disadvantage within Paraguayan society, and conversion from one faith to another is permissible. Many denominations conduct their activities freely. However, legislation prohibits the granting of legal status to new religious groups and a few evangelical churches have difficulty in obtaining formal Government approval for their operations. The Jehovah's Witnesses, who lost their legal registration in 1979, continued to appeal that decision in the courts.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Paraguayan Constitution provides for freedom of movement, and this usually is honored within Paraguay. There are no restrictions on residence in either urban or rural areas. Most citizens may enter and leave the country freely; however, officials frequently refuse to issue passports to political dissidents, former political prisoners, and persons who criticize the Government. Many political opponents of the Government, particularly the members of the dissident faction of the ruling Colorado Party, have been forced into exile over the years. Three Paraguayans, including a Vice President of the Authentic Liberal Radical Party, were expelled from the country in 1982. A group of seven exiles attempted to return to Paraguay in September 1982, but they were stopped at the airport and compelled to return to Argentina. Although some exiles have been permitted to return, they have done so only after undertaking not to participate in the political life of the country. Paraguay has followed a policy of welcoming immigrants, especially those with agricultural skills and providing asylum to foreign refugees. Many Brazilians, Japanese, Koreans, and Europeans have settled in Paraguay, as have a large number of various religious denominations.

The Paraguayan Government's treatment of its unassimilated Indian population has improved. A new law has been adopted which proffers legal recognition to Indian communities and guarantees their right to own tribal lands. In January 1982, the Toba-Maskoy tribe was resettled on a viable site within their traditional domain after a year's displacement in an area which was not suited to their needs. Other Indian groups and associations which concern themselves with Indian welfare and development are considering steps to take advantage of the provisions of Paraguay's new Indian communities law.

e. Freedom to Participate in the Political Process

The President dominates the Paraguayan political system, governing through the Colorado Party, which administers public patronage, and through the military and police forces, which assure public security. Only members in good standing of the Colorado Party can participate fully in the political process. Even within the Colorado Party, policy initiatives and decisions come predominantly from the party's top echelons. This does not encourage competition for party office at the local levels or within its professional and student associations. Individuals often join the Colorado Party to gain access to economic and social advantages such as enrollment at the national university, admission to government employment, and permission to bid on public contracts.

General elections are held every five years, and the law requires all Paraguayans eighteen years of age and over to vote. The Colorado Party enjoys greater freedom to contest elections than does the opposition, since it controls the electoral machinery and the body responsible for investigating electoral fraud and malfeasance. Of the three legally-constituted opposition political parties, one voluntarily abstains from the electoral process, while the other two participate and are represented in the Parliament. Disunity, lack of funds, restricted access to the media, difficulties in obtaining permission to hold meetings, and government harassment are factors which prevent the opposition from competing effectively. The Colorados garnered 89.6% of the vote in 1978. Paraguay's electoral law limits the party receiving a plurality of the vote to two-thirds of the seats in the Parliament. The controlling Colorado majority and the vertical character of the party's organization assure that Government policy invariably is approved by the legislature.

Some political groups do not enjoy juridical recognition from the Government and, therefore, cannot participate in the political process. In any case, most of these groups reject participation under the current electoral law. The Christian Democratic Party continues to seek juridical recognition. The dissident Mopoco faction of the Colorado Party is in exile. The Communist Party is proscribed by law. Regardless of their legal status, however, all opposition political parties are subject to varying degrees of harassment by the authorities.

The Paraguayan Constitution guarantees "the equality of civil and political rights" of women, while emphasizing the importance of marriage and the unity of the family. Women play a subordinate role in the political life of Paraguay. However, the executive and judicial branches of the Government have a few prominent female officials, and there are three women in the ninety-member Parliament. Several others, including a prominent human rights leader, enjoy independent political renown.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Paraguayan Government normally responds to inquiries from the United Nations Human Rights Commission (UNHRC) and the Inter-American Commission on Human Rights (IAHRC) but has yet to permit an on-site inspection by the IAHRC, despite repeated commitments dating back to 1977. In October 1982, the Paraguayan Human Rights Commission held a three-day congress in Asuncion which drew human rights representatives from several countries and organizations to consider the human rights situation in Paraguay.

The 1982 session of the UNHRC voted to discontinue consideration of the human rights situation in Paraguay. The decision of the UNHRC was a reaffirmation of its decision taken the previous year to drop consideration of the Paraguayan case. The decision reflected the view that developments in Paraguay in the intervening year had not been such as to cause a renewal of examination by the UNHRC of the human rights situation in Paraguay. The Government of Paraguay cooperated fully with the UNHRC during the proceedings regarding its case. The Government defends its human rights performance and considers negative comments, from whatever source, as unwarranted interference in its internal affairs.

Among the local private organizations that attempt to protect individual liberties in Paraguay are the Paraguayan Human Rights Commission, the Union of Paraguayan Women, the Paraguayan chapter of the Association of Latin American Lawyers for the Defense of Human Rights, and the Inter-Faith Committee, composed of three church groups. The opposition political parties also express support for the development of democracy in Paraguay and involve themselves in humanitarian concerns. These organizations publicize alleged human rights violations in Paraguay with press releases to the local newspapers, and they are active in human rights matters and issues such as land tenure. Their efforts have secured the release of a number of detainees. Human rights activists in Paraguay have been subjected to police harassment and occasional mistreatment by the police, had their telephones disconnected, been denied passports, and had their private correspondence either confiscated or opened prior to delivery. However, the Human Rights Congress, held in October 1982, was conducted without significant harassment and widely publicized within Paraguay.

4. Economic, Social, and Cultural Situation

The socio-economic situation in Paraguay has been influenced principally by the country's geographic isolation, its rich agricultural land and plentiful water supplies in the eastern half of the country, and its small population. Paraguay's isolation has engendered self-reliance and contributed to the development of a distinctive Paraguayan way of dealing with economic and social problems which, while highly centralized at the national level, does leave economic development and social welfare initiatives to local entities. The country's isolation has also slowed the introduction of new technologies and customs which resulted in a relatively slower rate of socio-economic development. The presence of two much larger and economically powerful neighbors, Brazil and Argentina, also affected Paraguay's ability to develop export markets and production capacity. Paraguay remains dependent on agriculture, which in 1981 constituted 30.8 percent of the gross domestic product.

The country's population, 3.1 million in 1981, is small in relation to its land area, 157,047 sq. miles, about the size of California. The rate of population growth is 2.9 percent per year. While Paraguay's small population has impeded the development of large domestic markets for Paraguay's products, it has made possible, with relatively low social strain, the development of a reasonably effective government land redistribution program. According to the Institute of Rural Welfare, the program has settled more than 312,000 previously landless families in almost 600 new agricultural settlements covering a total area of six million hectares, an average of 20 hectares per family. Critics believe these statistics are exaggerated, but most agree the program has had a major impact on the rural sector.

Paraguay's isolation and its extreme dependence on agriculture were altered irrevocably during the last decade when it embarked on an ambitious hydroelectric development program on the Parana River at the southeast frontier with Brazil and Argentina. The Itaipu Dam project, a joint Paraguayan-Brazilian venture, will be the largest hydroelectric project in the world, with over 12,600 megawatts of capacity. Half of this energy will be available for Paraguay's use. Alternatively, Paraguay may sell its share to Brazil, earning $100 million or more per year. The two other hydroelectic projects, including the huge Yacyreta Dam planned with Argentina, are progressing slowly.

The inflow of capital into Paraguay as a result of construction at Itaipu and the greatly expanded production of cash crops, particularly cotton and soybeans, has increased sharply the annual per capita income, from $260 in 1970 to $1,342 in 1980.

Generally, this marked increase in economic activity has benefitted the majority of the population and is reflected in improved life expectancy and literacy.

Nevertheless, there are indications that the growth in income has not been even. While employment has risen, the index of real wages has fallen from 100 in 1969 to 91.9 in 1981. A 1980 survey conducted by the Paraguayan Ministry of Finance showed that 42 percent of all households in the Asuncion area had incomes of less than $3,540 per year or an annual per capita income of not more than $761 for an average family of 4.65 persons. Of the households surveyed, only 17 percent had annual incomes in excess of $8,880 per year.

Even though most of the population has benefitted from the rapid growth of the economy, there is growing concern about the distribution of income and wealth. While the Government continues to express support for developing a private industrial sector, the lack of one has contributed to a rapid expansion of state-owned enterprises. These are controlled by members of the Colorado Party, and employment even at the lowest levels often depends upon party membership or official connections. Also, contracts for and employment in government-related projects, loans in the agricultural sector, and the ability to participate in the flourishing unregistered trade are largely dependent upon party membership and official approval. Close economic relationships between insiders and government officials have led to widespread allegations of favoritism and corruption.

There is little religious or ethnic discrimination. A number of important religious and ethnic groups live harmoniously in all sectors of the society. The right to own property is guaranteed by the Constitution. There are very serious land titling problems, however, particularly in the rural sector, resulting from confusion over conflicting land claims as well as from efforts by unscrupulous operators to force small farmers off their land. Of the 312,000 families settled, 160,000 lack definitive title to their land.

The traditional social system limits the participation of women, especially those from lower income groups. An increasing number of women, nevertheless, are participating effectively in various professions, business, and the artistic life of the country. Women normally receive less remuneration than men for comparable work.

The Government uses a laissez-faire approach to the provision of many services including health care and education. Government expenditures per capita on health are about $8 per year, one of the lowest in the hemisphere. Nevertheless, life expectancy in 1980 was reportedly 65 years, compared to 56 years in 1960. Infant mortality also has fallen sharply from 109 per 1,000 live births in 1962 to 47 in 1980. Other statistics on health and sanitation in Paraguay are not encouraging. In 1978, 31.7 percent of all reported deaths were children of four years and under. As recently as 1975, only 13 percent of Paraguayans had access to safe water. There is a concentration of health professionals in Asuncion where 75 percent of such personnel service about one-third of Paraguay's population.

Government expenditures per capita on education averaged $25 in 1981. Total school-age enrollment, as a percentage of the school-age population, was 56 percent in 1981 compared with 49 percent in 1962. University and technical school enrollment has grown from a total of 9,000 in 1960 to 57,000 in 1981. Adult literacy is estimated at just over 80 percent. Nevertheless, there remains a fundamental problem: development of human resources has not kept up with overall economic growth. Teachers' salaries are low, particularly in rural areas, normally $80 to $100 per month. Educational achievement in rural areas is low, and the average educational level is equivalent to only three years in school.

The year 1982 was a difficult one for the Paraguayan economy. Plunging world commodity prices dealt a severe blow to the rural sector, while large devaluations in Brazil and Argentina weakened Paraguayan competitiveness in regional markets, further crimping the country's exports. Imports fell drastically as a result of speculation against the Paraguayan currency and the concomitant surge in their prices. Capital inflows from the Itaipu project allowed only a small balance of payments surplus.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: PARAGUAY

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	3.6	6.3	3.9
LOANS..............	0.0	0.0	0.0
GRANTS.............	3.6	6.3	3.9
A.AID	1.3	2.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	1.3	2.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.4	0.7	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.4	0.7	0.1
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.4	0.7	0.1
E.RELIEF.EC.DEV & WFP.	0.4	0.7	0.1
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	1.9	3.6	3.8
LOANS..............	0.0	0.0	0.0
GRANTS.............	1.9	3.6	3.8
PEACE CORPS......	1.9	2.4	2.4
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	1.2	1.4
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	3.6	6.3	3.9
LOANS..............	0.0	0.0	0.0
GRANTS.............	3.6	6.3	3.9
OTHER US LOANS..........	0.0	0.0	63.9
EX-IM BANK LOANS.......	0.0	0.0	63.9
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	76.6	88.8	175.4	884.0
IBRD	36.0	58.8	99.4	377.5
IFC	0.0	1.2	10.4	17.0
IDA	0.0	0.0	0.0	49.8
IDB	39.4	27.5	64.9	409.9
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	1.2	1.3	0.0	23.3
OTHER-UN	0.0	0.0	0.7	6.5
EEC	0.0	0.0	0.0	0.0

PERU

Twelve years of military government in Peru ended on July 28, 1980, when President Fernando Belaunde was inaugurated following national elections in May, and a new constitution, the product of an elected 1979 Constituent Assembly, came into effect. The traditional form of government prescribed by the Constitution - a democratic republic, with an executive branch, bicameral legislature, and autonomous judicial system - quickly took hold. An independent Public Ministry, headed by the Attorney General, plays an ombudsman role, while a Tribunal of Guarantees provides constitutional interpretation.

The fiscally conservative Belaunde Government is pursuing a market-oriented development policy, committed to opening the economy, including lowering trade and foreign investment barriers. The current world recession makes its goal of equitable economic growth difficult.

An increase took place in 1982 in the relatively recent problem of political terrorism by a fanatical Maoist group, "Sendero Luminoso," which originated in the highlands department of Ayacucho. In response to terrorist violence, the Government declared intermittent, limited states of emergency entailing the suspension of certain specific constitutional guarantees in several provinces in and adjacent to Ayacucho, as well as a two-month state of emergency in Lima's metropolitan area.

The Peruvian Government is proud of its record of commitment to civil and political rights under the current constitutional system and charges the terrorists with violating the rights of their victims. In turn, there have been instances where the police, in reacting to terrorist actions, were responsible for human rights violations. These seem to have been cases of excesses by individuals, however, rather than the result of government policy. The greatest continuing problem in respecting individual rights remains the glacially slow judicial system and overcrowded prisons, although in both areas there was progress in 1982.

While specific areas of potential concern in the area of press freedom are cited below, their effect to date on the independence of this vital institution has been relatively minor. The press is free to criticize all institutions in Peru, and does so.

The most important development in 1982 was the continuing consolidation of democratic institutions. However, the challenge of terrorism is a serious one that worsened in 1982.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Terrorist violence intensified in Peru during 1982. Those killed included police (36 in the first eleven months) and selected civilian targets (reportedly 50), as well as an estimated 28 terrorists, most of whom were killed in armed confrontation.

Authoritative statements about the motivation of Sendero Luminoso - the radical Maoist offshoot of the Peruvian Communist Party which currently is the only serious terrorist group in the country - are scarce. Its victims are usually police killed in action, local authorities, local businessmen, and alleged informers, sometimes executed after the terrorists hold a "people's trial."

A wide variety of sources concur that, in ordinary circumstances, police forces do not violate clearly established guidelines on the use of deadly force. But in one serious 1982 exception, there were charges that enraged police killed three hospitalized terrorist suspects in the immediate aftermath of a Sendero Luminoso raid and jailbreak in Ayacucho during which two policemen were killed. Judicial proceedings against the police suspected of the hospital killings are in process. The Government has punished police who exceed their authority.

In confrontations with hostile crowds, police occasionally resort to firearms when attacked. The most significant incident was in March 1982 at Tarapoto, when police removing a highway roadblock were set upon by hostile farmers. Five farmers were killed and 15 wounded, while 22 police were injured.

b. Disappearance

Disappearances are not a problem in Peru. The Latin American Federation of Families of the Disappeared chose Lima as the cite of their third conference, held in November 1982, precisely because of Peru's good record on this score. The one allegation of a disappearance in 1982 is being investigated by the Government.

c. Torture

The Constitution specifically declares confessions obtained by "illicit coercion, threat, or violence" invalid, and makes the use of violence for this purpose a criminal offense. Instances of physical and psychological abuse do occur, most commonly in the initial stages of detention, but are not condoned by the Government. An important check against such practices is the routinely followed requirement that an official of the independent Public Ministry be present during the initial stages of arrest.

Nevertheless, charges against some police officers for a case of police torture in 1981 are still being processed. In its 1982 report the Washington Office on Latin America alleged that there have been cases of torture, mostly involving persons accused under the anti-terrorism law.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Physical punishment is not administered as a sentence for crimes. Prison conditions, however, remain cruelly degrading, due in large measure to overcrowded conditions and deteriorating physical plant, legacies of the years of neglect in prison construction during the military government. Although budget stringencies impede rapid improvement, the contract for a new prison was let in 1982 with the aid of a loan from Spain. Allegations of mistreatment and even beatings by prison guards are frequent but difficult to verify. Such mistreatment is categorically forbidden by government authorities, but charges of abuse by individual guards persist.

The prison situation is exacerbated by the cumbersome Peruvian judicial system and the complex trial process. Many accused persons, especially those charged with drug trafficking and terrorism, for which there is no bail, spend months or years in prison before a determination of guilt or innocence is formally established. The Ministry of Justice, reestablished after being abolished during the period of the military government, is seeking to reform and improve the judicial system.

Following the March 1982 terrorist raid and jailbreak in Ayacucho, the Ministry of Justice systematically relocated suspected terrorists to El Fronton, a renovated island prison near Lima, as a security measure. As of December 1982, some 400 prisoners were held on the island. Cases against all of those, as well as some 150 more, were going forward on charges of terrorism.

e. Arbitrary Arrest and Imprisonment

The Constitution requires that an arrestee be arraigned within 24 hours for all crimes except drug trafficking, terrorism, or espionage, for which the limit is 15 days. Administrative difficulties sometimes preclude the 24-hour deadline from being met, but arraignment occurs in a timely manner. The 15-day limit is almost invariably respected.

Terrorist violence led the Government to decree limited states of emergency in the Ayacucho area at various times during 1982 and in the Lima metropolitan area from August through October. One constitutional right suspended was the 24-hour detention rule, but there is no indication that police are abusing this suspension. Similarly, police in affected areas are authorized to detain suspects without a court order, but the requirement for a Public Ministry official's presence remains in effect, and detainees are either quickly released or promptly arraigned.

Habeas corpus is guaranteed by the Constitution. The newly-constituted Tribunal of Constitutional Guarantees will be the final appeals court for habeas corpus petitions.

f. Denial of Fair Public Trial

The Peruvian judiciary is independent of the executive in both law and practice. The National Council of the Magistracy, under the Attorney General, selects nominees for judicial vacancies. Appointments are for life. Only Supreme Court justices require legislative confirmation. Charges of lower court malfeasance are investigated by the Supreme Court, while the National Council of the Magistracy investigates any complaints against the Supreme Court itself, and turns them over to the Attorney General if there are grounds for charges. The Supreme Court itself has responsibility for final action.

All civil crimes are tried in civilian courts. Arrestees are entitled to have an attorney present when they make statements to the police. Public prosecutors are charged with assuring that defendants have legal representation. There are no public defenders below the Superior Court level, however, and indigent arrestees must rely on volunteers from the bar association, if available. The Constitution presumes innocence, and guarantees a trial review system. The first is a closed judicial investigation by a magistrate, while the second is a public trial in Superior Court for those found guilty at the lower level. The Supreme Court hears final appeals.

All these guarantees are respected. However, legal deadlines on judicial investigative trial proceedures are often not met due to a staggering case backlog. Time limits are not imposed on the Superior Court, which may send a case back for further investigation as many times as it wishes.

g. Invasion of the Home

A judicial warrant is required to enter a private residence, the inviolability of which is constitutionally guaranteed. This guarantee is suspended in those areas where a state of emergency is in effect, and police in some cases have invaded homes in other areas without warrent as part of their counter-terrorist efforts. In the Ayacucho area, Sendero Luminoso terrorists have broken into private residences, usually to kill the occupants.

The Government has rejected claims from the far left that wiretapping, which allegedly occurred under the military Government, is still being practiced.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These rights are guaranteed by the Constitution. Publications of all political persuasions freely express their viewpoints, including harsh criticisms of government policies and officials. In 1982, the Government completed the indemnification to owners of those newspapers which had been confiscated by the preceding military Government.

A 1981 law provides for a penalty of up to one year in prison for defamation of public figures. Proceedings against a small number of journalists are in progress. As part of the ongoing judicial process, one journalist spent 18 days under provisional detention. Meanwhile, however, his publication continued to headline the same allegation about a government-party congressman which had opened the case.

In September, Congress passed legislation establishing a journalists' association (Colegio de Periodistas). This was widely welcomed by Peruvian journalists, since it accords them a professional status comparable to that of lawyers, doctors, and economists, and provides for a system of health and life insurance for its members. The association is funded by advertising earnings from the media. Some journalists, however, oppose the measure as potentially restricting the media's constitutional right to access. They are also concerned about sanctions for violating vaguely-expressed standards of conduct which raise the possiblity that journalists who fall out of favor with a future government might be prevented from exercising their profession.

b. Freedom of Peaceful Assembly and Association

These rights are guaranteed in the Constitution and are normally respected. The Government is forthcoming in granting permits for demonstrations, and, despite occasional incidents, for the most part deals with unauthorized demonstrations in a non-confrontational manner.

The right to assembly is among those specifically suspended in those areas under a state of emergency, although this suspension was not stringently enforced in the Lima metropolitan area.

The Constitution guarantees private sector workers the right to unionize, bargain collectively, and strike. Public sector workers (except for armed forces, judges, and high officials) have similar rights, although there are some restrictions. In practice, employees organize and strike freely.

Legislation to regulate the right to strike is still under consideration in Congress. At the request of Peruvian trade unions, a committee of the International Labor Organization examined a version of the bill passed by the Senate in 1981. It dismissed some union complaints about the bill, but found others of sufficient merit to recommend modification of the legislation.

About 10 percent of the work force is unionized. The trade union movement is vigorous but divided, with total membership in communist and other far left unions somewhat larger than that of democratically-oriented unions. No significant part of the labor movement is tied to the Government. There is no Government persecution of unions or professional groups. Peruvian labor organization affiliate freely with regional and international trade union organizations of all ideological tendencies.

Union leaders are frequently consulted by the President, the Prime Minister, and the Minister of Labor, as well as by congressional committees. The transitional Tripartite Commission became a formal National Labor Council in 1982. It provides an important means to enhance and formalize labor and employer participation in social and economic policy-making. The Communist confederation declined to participate, but continues to enjoy easy access to the Government.

c. Freedom of Religion

The Roman Catholic faith is overwhelmingly predominant in Peru, but the Constitution, while formally recognizing the Church's importance and promising official "collaboration," specifically establishes autonomy and independence of church and state. Freedom of religion and conscience is guaranteed, and other faiths are freely practiced. There are no reports of religious persecution or discrimination, nor any correlation between social or economic status and religious faith.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation.

The Constitution guarantees the right of free movement. There are no political or legal constraints on foreign travel or emigration, nor are Peruvian citizens expelled for political reasons. Although freedom of movement is theoretically restricted in the areas under a state of emergency, in practice, movement in those areas is almost completely unimpeded.

The special incentives law to encourage the return of Peruvians residing abroad expired during 1982. Nonetheless, the Government continues to stress its hope that Peruvians who established residence abroad for political reasons will return.

Traditionally Peru is willing to receive limited numbers of refugees for both transit and resettlement, and Peruvian embassies are traditionally generous in granting asylum. The shock of 10,000 asylum-seeking Cubans arriving in the Peruvian Embassy in Havana in April 1980, and the difficulty of assimilating 742 of them in Peru, reduced enthusiasm for such an open policy. Peruvian policy continues to refuse to force refugees to return to the countries from which they fled; there were no instances of this in 1982.

e. Freedom to Participate in the Political Process

Peru is a democratic country governed by a freely elected president and congress. The Constitution mandates universal suffrage for all Peruvians 18 years of age and older. The political process is completely open and vigorously contested by a broad variety of political groups.

The Government has a working majority in both houses of Congress, but the legislature demonstrated its independence of the executive in several instances in 1982. An elaborate system of checks and balances appears to be functioning well. National elections, last held in May 1980, are scheduled for 1985. A president must wait out one term after his term in office before being eligible to run for the presidency again. Municipal elections, held in November 1980, are scheduled for November 1983. These are conducted by the independent National Jury of Elections. Implementation of more autonomous mechanisms of government at the intermediate (departmental) level, in accordance with the Constitution, is proceeding slowly.

The Constitution guarantees, inter alia, participation in the political process regardless of race or sex. There are 14 women in the 240-member Congress, and the highest position held by a woman in the executive branch is vice-Minister.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Peru is completely open to such investigation, as exemplified by its acceptance of the jurisdiction of the Inter-American Court of Human Rights. In 1982, Peru provided the Court with its first case, by requesting an opinion on the Court's writ. Local human rights groups exist throughout the country, and international organizations such as Amnesty International and the Catholic Bishops' Social Action Commission freely investigate allegations of violations. The President and other government leaders have criticized human rights groups which criticize them.

There are several institutional human rights safeguards. The Human Rights Commissions in the two houses of Congress which have members from opposition as well as government parties consider individual allegations. They are also examining the human rights implications of numerous decree-laws issued by the military Government.

The independent Public Ministry, in addition to its direct role in ensuring proper treatment of those arrested, receives complaints from all citizens against all three branches of government, investigates them, and takes action as necessary. It received approximately 2,000 such complaints in the year beginning in September 1981. The role of the National Council of the Magistracy is described above.

The Tribunal of Constitutional Guarantees should begin to function soon. Implementing legislation was approved by Congress in 1982, and members were appointed by the executive, judicial, and legislative branches. In addition to its habeas corpus role, the Tribunal will be the ultimate arbiter on the constitutionality of laws.

Human rights organizations investigate and operate in Peru without hindrance, freely ventilate their findings and allegations in the media, and, if appropriate, lodge criminal charges with the Public Ministry. There is no indication that investigators put themselves at risk in pursuing their investigations.

4. Economic, Social, and Cultural Situation

Property rights are protected, although the civil code continues to deny women the equality in this area which the Constitution prescribes. In practice, the economic and social needs of Peruvians of European ancestry are more likely to be met than those of Peruvians of mixed or pure Indian heritage, a situation dating back to the colonial period. The military

Government made significant efforts to rectify this situation. Equitable economic development is second only to the consolidation of democratic institutions on the Belaunde Government's list of priorities.

The cornerstone of the economic program of the Belaunde Government remains the redirection of the economy from the military's unsuccessful system of state planning to a market-oriented system which encourages private (including foreign) investment. Job creation and increased real incomes - particularly among the poor - are among the highest priorities of the administration, but performance in 1982 fell short, due largely to depressed world economic conditions.

Peru's 1980 per capita gross domestic product was $930. Median per capita income in mid-1982 was estimated at $640 for metropolitan Lima, and $600 in other major cities. Median rural income is lower. The country continues to be characterized by levels of poverty higher than the average for Latin America. According to a 1980 World Bank sponsored study (based on 1971-72 data), 28 percent of the Peruvian population lived below the absolute poverty level. This study also indicated that 53.4 percent of the population in the rural Sierra were below the absolute poverty level. These figures are only "best estimates." All indications are that the percentage of Peruvians below the absolute poverty level is higher now than it was in 1971-72.

Unemployment and underemployment continue to be in the 50 percent range. Other indicators are: a high level of malnutrition; an infant mortality rate estimated at 87.7 for every 1,000 live births (1980); 1980 life expectancy at birth of 59; and a low percentage of the population with access to safe water (47 percent in 1975 for the entire country, 78 percent in rural areas).

The country's population growth rate changed only slightly in the last 20 years: it was 2.8 percent in 1960-70, 2.6 percent in 1970-79 and 2.7 percent in 1981. The population in 1981 was estimated at 18.4 million.

Progress continues in basic education, as evidenced by construction in and staffing of new primary school facilities. In 1972, the last year for which reliable figures are available, the adult literacy rate was 73 percent. Of the illiterate population, 72 percent reside in rural areas (70 percent are women). The adjusted primary school enrollment ratio in 1978 was 112 percent (116 percent for males, 106 percent for females).

Peru, composed of three completely distinct geographic regions, is a classic case of differential development. Residents of the undeveloped mountain region migrate en masse to the coast, especially to Lima, which is unable to provide essential services to its burgeoning population. Nevertheless, living conditions on the whole are better in the coastal areas than in the highlands.

The impact of the Belaunde Government's economic reform effort will be felt over the medium to long term. The plight of the poor, however, will not change drastically in the short term. The removal of costly subsidies on a number of basic goods - including gasoline - is one example. As in prior years, expansion of health, education, and other social services will be limited by budgetary constraints despite the Government's commitment to expand them. Low world commodity prices have adversely affected the country's export earnings.

Inflation, and the policies necessary to contain it, will also limit short-term improvement in real wages for blue collar and white collar workers. Real wages for both groups declined dramatically after 1973, rose slightly in 1980, and are now holding at 65 to 75 percent of 1973 levels.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: PERU

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	53.4	80.2	55.2
LOANS..............	33.0	47.0	44.2
GRANTS.............	20.4	33.2	11.0
A.AID	18.7	34.5	35.8
LOANS..............	14.0	28.0	28.0
GRANTS.............	4.7	6.5	7.8
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	33.0	42.5	16.2
LOANS..............	19.0	19.0	16.2
GRANTS.............	14.0	23.5	0.0
TITLE I-TOTAL..........	19.0	19.0	16.2
REPAY. IN $-LOANS.....	19.0	19.0	16.2
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	14.0	23.5	0.0
E.RELIEF.EC.DEV & WFP.	3.3	6.8	0.0
VOL.RELIEF AGENCY.....	10.7	16.7	0.0
C.OTHER ECON. ASSIST...	1.7	3.2	3.2
LOANS..............	0.0	0.0	0.0
GRANTS.............	1.7	3.2	3.2
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	1.6	3.0	2.9
OTHER............	0.1	0.2	0.3
II.MIL. ASSIST.-TOTAL...	3.3	4.3	5.0
LOANS..............	3.0	4.0	4.5
GRANTS.............	0.3	0.3	0.5
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	3.0	4.0	4.5
C.INTL MIL.ED.TRNG....	0.3	0.3	0.5
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	56.7	84.5	60.2
LOANS..............	36.0	51.0	48.7
GRANTS.............	20.7	33.5	11.5
OTHER US LOANS..........	46.3	16.0	0.0
EX-IM BANK LOANS.......	6.2	13.1	0.0
ALL OTHER..............	40.1	2.9	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	252.5	456.6	529.3	2405.8
IBRD	116.0	143.0	376.1	1312.5
IFC	3.2	8.5	18.2	56.0
IDA	0.0	0.0	0.0	0.0
IDB	132.5	305.0	130.0	977.4
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.8	0.1	0.0	45.3
OTHER-UN	0.0	0.0	3.0	14.6
EEC	0.0	0.0	0.0	0.0

ST. LUCIA

St. Lucia, which has a population of 118,000, gained its independence from the United Kingdom in 1979. The Constitution, which is modeled after the Westminster parliamentary system, includes specific safeguards for the preservation of human rights. Democratic values and respect for individual freedoms are strongly rooted in St. Lucian society.

The country's first two years as an independent nation were marked by political disruptions and economic decline. Popular discontent finally culminated in massive protest action in January 1982 by private sector organizations, unions, and citizens' groups forcing the resignation of the Government. In the May 1982 elections, a new Government with a strong parliamentary majority was elected. Throughout this period of political crisis, constitutional processes prevailed, however, and only minor incidents of violence occurred.

Prior to independence, the country had benefitted from excellent domestic economic management and had been a model for other East Caribbean less developed countries . Especially noteworthy were diversification efforts; starting from an agricultural base, the country pushed into tourism, manufacturing, and related construction activity, becoming the most diversified of all the Eastern Caribbean least developed countries. During this period, the country relied almost exclusively on the private sector as the engine of growth.

The political uncertainties in combination with labor difficulties and the OPEC oil price rises precipitated a gradual decline in the economy in 1979, and the downturn was further intensified by Hurricane Allen in 1980, which caused extensive damage to the country's main export crop, bananas. By early 1982 public finances had reached a critical state and private sector activity was at a virtual standstill.

Economic prospects for St. Lucia (1980 per capita GNP was $854.00) have improved significantly in 1982 because of the enhanced ability to govern of the new moderate government which has a strong 14-3 parliamentary majority.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There were no reports in 1982 of killings for political motives.

b. Disappearance

No disappearances were reported in 1982.

c. Torture

Torture is prohibited by the Constitution and is not practiced.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits inhuman or degrading punishment. There have been no allegations of such treatment.

e. Arbitrary Arrest and Imprisonment

Arbitrary arrest or imprisonment is constitutionally prohibited, and this prohibition is respected in practice. The Constitution contains a provision for preventive detention when a state of emergency is declared, which has not occurred since independence.

f. Denial of Fair Public Trial

A fair hearing for all defendents by an independent and impartial court is required by the Constitution. Accused persons are presumed to be innocent until proven guilty. The Constitution also guarantees the provision of legal counsel. There have been no allegations of denial of these rights. The country's appeals court is the regional West Indies Court of Appeal, which has a widespread reputation for impartiality.

g. Invasion of the Home

Arbitrary search and entry are prohibited by the Constitution, and this prohibition is respected in practice.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The St. Lucian Constitution guarantees these freedoms, and they are respected in practice. St. Lucia has three political party-supported newspapers which represent various shades of opinion. There are privately-owned radio and television stations and the government-owned Radio St. Lucia. There is no censorship of the media.

b. Freedom of Peaceful Assembly and Association

There are no restrictions on public meetings, and opposition groups are free to organize. Trade unions are free to organize and elect their own leaders without government interference. Unions in the private sector of the economy have the right to strike. The Government certification process is impartial and available to all unions. The Government has initiated the creation of a permanent tripartite consultative committee with union, private sector, and government representatives to help formulate a broadly acceptable formula for economic recovery. Labor unions boast fairly sizeable memberships and represent a significant forum in the domestic political arena. Their international contacts are largely limited to unions within the Eastern Caribbean region.

c. Freedom of Religion

There is no religious discrimination in St. Lucia, where the majority of the population is Roman Catholic. The Church stands in high popular esteem. It played an important role as mediator among the three principal political parties during the January 1982 political crisis.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

These rights are guaranteed in the Constitution and are honored in practice. There have been no cases of refugee resettlement in St. Lucia.

e. Freedom to Participate in the Political Process

St. Lucia is a parliamentary, constitutional democracy. Its political system continues to be vigorous, with opposition parties playing an active role in and out of Parliament. There are no restrictions on the participation of women in government. They hold prominent positions in the St. Lucia civil service, and a woman is presently serving as the Minister of Education.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There have been no reports on St. Lucia by international human rights bodies or any requests for investigation. St. Lucia has not signed the Inter-American Convention on Human Rights. The major domestic organization that follows human rights developments is the multi-denominational St. Lucia Christian Council. Freedom House's 1982 report classified St. Lucia as "free."

4. Economic, Social, and Cultural Situation

St. Lucia has a mixed economy. Foreign investment is encouraged, particularly in labor-intensive industries. The Government has made strenuous efforts, within the limits of severe fiscal constraints, to meet the social and economic needs of the population. Hurricane Allen, in August 1980, dealt a sharp blow to the agriculture-based economy, throwing thousands of banana workers out of their jobs and deroofing houses, schools, and hospitals around the island. The Government has made efforts to restore housing and public buildings. Living conditions for the average citizen are gradually returning to the pre-hurricane level. Agricultural production has not been fully restored, although the banana industry has experienced a remarkable recovery.

Over the past five years, St Lucia has channeled more than 20 percent of its total recurrent expenditures into education and health, reflecting the high priority given to those areas. In 1980, for the first time, patient care at the general hospital was made free of charge. Elementary school enrollment includes 95 percent of those eligible; however, shortages of teachers and classroom space severely limit secondary school enrollment. About one-third of primary school graduates enter junior secondary school (at age 12), and one-third of those enter senior secondary school (at age 15). Approximately three percent of the school population eventually graduate to become potential university entrants. The Government is making strenuous efforts to expand secondary education, but there is little likelihood of major changes in those statistics in the near future.

In agriculture, the Government is studying the antiquated land tenure system but has not yet acted on recommendations of its land reform commission. Meanwhile, the Government has arranged a pilot land resettlement scheme to provide five to ten-acre plots for 175 farmers.

The infant mortality rate is 33 per one thousand live births and the population growth rate is 1.5 percent. Life expectancy is approximately 68 years. 12 percent of the population has access to safe water. The literacy rate is estimated to be over 80 percent. Education is compulsory between the ages of 5 and 15.

ST. VINCENT AND THE GRENADINES

The nation of St. Vincent and the Grenadines has a Westminster-style parliamentary system of government. It became independent from the United Kingdom in 1979 and has had long years of experience with British common law which created a respect for the rights of the individual and an open political system. The 1979 Constitution contains specific safeguards for basic human rights. These safeguards are reflected in practice.

St. Vincent and the Grenadines held its first election as an independent nation shortly after independence. Four political parties of widely-varied ideological views participated; the election was judged to be fair. During 1982, the Government imposed a controversial three-percent turnover tax on business transactions. Merchant organizations opposed to the tax staged public protests against it and closed their shops periodically to demonstrate their displeasure. The rights of Vincentians to assemble and speak out against government policies were respected throughout these protest activities.

St. Vincent's economy grew by nine percent in real terms in 1981 making it one of the stronger performers in the eastern Caribbean despite an unemployment rate estimated between 20 to 40 percent. With about 50 percent of the population under the age of 15, unemployment will continue to be a major problem. But economically the short-term outlook is bright. The agricultural sector which is the primary money earner is doing well, off-shore manufacturing plants continue to expand, and the Grenadine Islands are recognized to have considerable untapped tourist potential.

Trends in St. Vincent and the Grenadines indicate a continuing respect for human rights. Freedom House, in its 1982 report, classified the country as "free."

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There were no reports of killing for political motives in 1982.

b. Disappearance

There were no reports of disappearances in 1982.

c. Torture

The Constitution prohibits torture, and there were no reports in 1982 that it was practiced.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits cruel, inhuman, or degrading treatment or punishment. There have been no significant complaints about prison conditions. There is one men's prison in the country, located in an old building. This facility is spartan, but offers basic facilities, is uncrowded, and is well maintained. A women's facility is located at a separate location, and conditions are of a similar nature. Police practices have not attracted critical comment. The St. Vincent and the Grenadines' police is a nonpolitical organization and the Government strives to ensure that standards of impartiality are maintained and honored in practice.

e. Arbitrary Arrest and Imprisonment

The Constitution provides for preventive detention under emergency laws, for legal representation for the detainee, and for periodic review of a case. There are no political prisoners.

f. Denial of Fair Public Trial

The Constitution guarantees a fair hearing within a reasonable time by an independent and impartial court established by law. Access to legal counsel is also guaranteed, and defendants are presumed to be innocent until proven guilty. Decisions of local courts may be appealed to the Regional West Indies Court of Appeal (which has a well-established reputation for impartiality) and, ultimately, to the British Privy Council. These Constitutional guarantees are respected and strictly practiced.

g. Invasion of the Home

The Constitution provides for protection from arbitrary search and entry. From all reports, this protection is respected, and search warrants are required.

2. Respect for Civil and Political Liberties, Including:

a. Freedom of Speech and Press

The Constitution guarantees these freedoms, and they are respected in practice. There is no censorship or overt government interference in the operation of newspapers. Independent publishers have alleged, however, that government advertising is often given or withheld in reflection of their editorial stances. Criticism of the Government is allowed and practiced.

b. Freedom of Religion

There is no religious discrimination in St. Vincent and the Grenadines. All religions are free to practice and proselytize.

c. Freedom of Peaceful Assembly and Association

These rights are provided for by the Constitution and are permitted without governmental intervention. Opposition factions have in the past, however, accused the Government of denying necessary permits for political reasons. Mass public meetings opposing government policy have been allowed in 1982. The Government has accepted the International Labor Organization's convention on freedom of association. Unions enjoy the right of collective bargaining and are generally active on the industrial relations scene. Labor unions represent approximately 7,000 workers, or somewhat over 10% of the labor force. There is no discrimination favoring one union or another.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for freedom of movement within the country as well as the right to enter and leave freely. That freedom is honored in practice. No one is known to have applied for refugee status in St. Vincent and the Grenadines.

e. Freedom to Participate in the Political Process

St. Vincent and the Grenadines is a parliamentary, constitutional democracy. It has universal suffrage, and there is active political participation in national elections every five years. Few organized political groups are active during inter-election periods. Rather, there are small political parties that appear to function actively only during election time.

While there are no legal impediments to women participating in the political process, they have traditionally not played a prominent role for cultural reasons. Those who have done so have generally been wives of prominent politicians. No women were elected to Parliament or to other high elective office at the most recent elections.

3. Government Attitudes Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

As a new nation, St. Vincent and the Grenadines has not yet acceded, of its own accord, to any international human rights conventions. The Government has announced its intention to review individually all treaties to which Great Britain acceded on its behalf. There are no branches of international human rights organizations in St. Vincent, nor is there any local body publicly active in monitoring human rights violations.

4. Economic, Social, and Cultural Situation

St. Vincent and the Grenadines had in 1981 a per capita Gross Domestic Product estimated at $660, up from $270 in 1970. As this figure suggests, the nation has severe economic problems and also suffers from high unemployment, but there are no reliable estimates. Considerable agricultural damage was done by the eruption of Soufriere Volcano in April 1979. Economic progress was set back even more in August 1980 by Hurricane Allen, which caused considerable infrastructure damage and devastated much of the agricultural economy--especially the banana crop. The Government has endeavored to overcome these problems and has made good progress.

While the basis of the economy is agriculture, the Government has been attempting to diversify into tourism, but the worldwide recession and poor promotional efforts have impeded this endeavor. The Government has outlined tax incentives and other encouragement to foreign private investment employing Vincentian labor. The small number of foreign investors in St. Vincent express satisfaction with the Government's industrial program which led to the creation of an additional thousand jobs between mid-year 1980 and 1981.

There are no laws specifically guaranteeing women's rights in the employment field. The industrial wages act provides for a different--and lower--minimum wage for women than for men engaged in factory work. There is also a provision prohibiting women from employment during midnight shifts--a regulation originally designed to benefit female workers.

The nation's poverty limits the resources it can expend on priorities such as social services. Good medical care is not available in much of the nation because of a scarcity of doctors and their concentration in the capital. The Government established a clinic in the heretofore medically-unserviced Union Island in the Grenadines, and US Peace Corps Volunteers, including a dentist and a physician, are now working there. Poor medical conditions are reflected in a relatively high infant mortality rate (56 per 1,000 live births). Education and housing need substantial improvement, a fact which the Government acknowledges. Although such indicators as percentage of population with access to safe water have shown improvement (17 percent in 1970; 25 percent in 1978), primary school enrollment has fallen (1970, 97 percent; 1978, 85 percent) as the rate of population growth has risen from 0.7 percent in 1970 to 2.1 percent in 1978.

The Government has a National Provident Fund which provides for retirement benefits for much of the wage-earning population. Currently, a new national insurance scheme is planned, which will not, however, encompass unemployment insurance. There are, under present law, no benefits for the jobless. There have been unconfirmed charges that the present Government has neglected development and social services in the small Grenadine islands. Most estimates have placed the Grenadines' per capita income at a higher level than that of St. Vincent proper, as a result of remittances from the many islanders employed as crew by shipping lines.

SURINAME

For the first five years following independence from the Netherlands in 1975, Suriname was a functioning democracy with an excellent human rights record. Following a coup d'etat on February 25, 1980, the Constitution was suspended. In April 1982 a decree was issued which is presently in effect as a "transitional Constitution" until a new formal Constitution, which the Government claims to have in preparation, can be promulgated.

On December 8, 1982, the Surinamese military Government, headed by Lt. Col. Desi Bouterse, took a series of repressive actions against its civilian opponents, which constituted flagrant violations of human and civil rights and which represent a serious deterioration of the human rights situation in that country. At least 18 people were detained, and at least 15 of them were shot and killed while in government custody without any semblance of due process. There are indications that some were beaten to death or tortured.

Officially the Government justified its actions as a response to a purported coup plot by a few members of Suriname's "narrow upper class" and stated that the killings occurred when the detainees attempted to escape, but the Government has provided no evidence to support either charge. Most of those killed were prominent civilians, including the leader of a major labor confederation, lawyers, journalists, and academics, all of whom in recent weeks and months had been pressing for the end of military government and the restoration of elections and democratic institutions. It is not known if others have been detained since the events of December 8 or how many persons may remain in detention.

Simultaneous with the detentions, the offices of several organizations which had been critical of the Government in recent weeks were destroyed by fire or bombing, including the Moederbond trade union organization, two private radio stations, and one private newspaper. While the identity of the perpetrators has not been fully established, there are indications that the violence was carried out with the complicity of the Government.

On December 9 the military Government imposed conditions resembling martial law. The university was closed indefinitely, a dusk-to-dawn curfew imposed, all non-government owned or controlled media were closed, and gatherings of more than four persons prohibited. While it is not yet clear how long these conditions will remain in effect, the killings, suppression of the press, and other repressive actions represent a serious deterioration in the human rights situation.

The United States, the Netherlands, and various international organizations such as the European Parliament, the International Confederation of Free Trade Unions, and the Caribbean Congress of Labor have protested the killings and violations of human rights. The United States and the Netherlands have announced the suspension of economic and military assistance to Suriname.

Prior to the events of December 8 there had been human rights violations in 1982 in certain areas, although many human rights remained protected, reflecting the still unsettled political situation since the military coup of February 1980 by a group of army sergeants.

The "transitional Constitution" now in effect guarantees traditional rights and liberties, but allows for the curtailment of these rights at the discretion of the military authority during a state of emergency, such as exists at the present time. Freedom House, in its 1982 report, classified Suriname as "Not Free".

Suriname's parliament was indefinitely suspended six months after the 1980 coup. At present laws take the form of decrees issued by a two-man military authority or resolutions passed by Suriname's Council of Ministers. Prior to the events of December 8, there had been mounting public pressure for the establishment of a legislative body, elections, and the restoration of democratic institutions, a trend which has now been suppressed. The entire cabinet resigned on December 9, 1982 but the members agreed to remain in an acting status until a new government is formed. The activities of political parties have been prohibited since mid-1980. On December 28, 1982 Col. Bouterse gave a televised interview in which he said that parliamentary democracy will "never return" to Suriname because as "we in Suriname know" it was dysfunctional and led to "chaos" in the country.

Formal power to govern in Suriname continues to reside in the two-man military authority, which has assigned, in turn, "supreme administrative authority" to a four-member Policy Center. The two members of the military authority serve concurrently as Chairman and Vice-chairman of the Policy Center. A Council of Ministers headed by a Prime Minister is assigned the day-to-day running of the Government but has little impact on policies. Even prior to the events of December 1982, the assumption of more power by the Policy Center, following an attempted coup, accelerated an existing trend toward greater concentration of political power in the hands of a small group.

The Government has declared itself to be strongly committed to economic justice and equality of opportunity for all citizens and has sought to establish what it describes as a "new democracy" by introducing non-traditional structures such as appointed people's committees, and district and regional councils. The Government's avowed aim is to elicit greater "participation" by the "masses" in political activities and to prevent a return to the pre-1980 situation when political parties were divided along ethnic or religious lines, and corruption and mismanagement had led to near-paralysis in Government. However, the December crackdown on labor, the press, and closure of the university has demonstrated the Government's intolerance of independent civilian organizations and institutions and its willingness to take brutal measures against those advocating the restoration of genuine participatory democratic institutions. In his December 28 interview Col. Bouterse said that a revival of independent media would have to await establishment of a control system under the new Government that will assure that the media are supportive of official programs, and that reporting is based on state-supplied information, and not on unnamed sources that give a detrimental picture of government activities.

The Government seeks to legitimize its monopoly of authority and power by references to the imperatives of a "revolutionary" society. However, the state-directed economic practices of so-called Marxist countries have not been emulated. Suriname has essentially a free-market economy, though restrictions have been put on consumer product imports, and there are some foreign exchange controls. The Government is currently stressing a campaign of assistance to local entrepreneurs to encourage domestic production for import substitution.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Prior to the events of December 8, 1982, at which time at least 15 people were shot without due process, political killings and assassinations had not occurred in Suriname during 1982. Earlier in the year, however, the execution of one of the leaders of the failed March coup attempt, without recourse to normal due process procedures, generated much concern. The military, in response to widespread public outcry at this action, claimed its right under "state of war" to conduct a "field court martial" and pass and carry out any sentence including the death penalty.

b. Disappearance

Prior to the events of December 1982, there were no reported cases of clandestine incarceration or disappearances during 1982. It is not known how many individuals may still remain in government custody following the December 1982 roundup.

c. Torture

Under the "transitional Constitution", torture is prohibited. There have, however, been allegations of physical abuse of prisoners. In its 1982 report, Amnesty International cited its concern about allegations that people under interrogation had been ill-treated by military police. There have been many reports that those killed while in government custody in December 1982 had been beaten or otherwise tortured.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Even though cruel, inhuman, or degrading treatment or punishment is prohibited under the "transitional Constitution", there have been reports of such treatment. Prior to the events of December 1982, there had been a decline in reports of incidents like those following the 1980 coup when a number of persons arrested on criminal charges were severely beaten. At that time, moderates in Suriname persuaded the military authority to return to normal practices of civil justice, and they were assisted by the furor aroused in Holland when videotapes of a simulated beating were shown on Dutch television stations.

Prior to the events of December 1982, the military authority had been anxious to improve its public image, and few cases of mistreatment of civilian prisoners had been reported.

e. Arbitrary Arrest and Imprisonment

The "transitional Constitution" guarantees freedom from arbitrary arrest and imprisonment. It does not, however, provide for habeas corpus or fix a limit on the period of investigative detention. According to the Government, the 15 individuals killed in December 1982 were allegedly detained in connection with a purported coup plot but, as far as can be determined, they were never formally charged.

Even prior to the events of December 1982, those suspected of "counter-revolutionary" activity were treated more harshly than those accused of civil crimes. Approximately 30-40 counter-revolutionary suspects detained after the March 1982 coup attempt have been held for long periods without trial or hearing. Some are held in overcrowded facilities, and some have been beaten. The Government has said protracted detention is necessary because such plotters constitute a "threat to national security." Also, in an incident at the end of October 1982, a prominent labor leader was arrested by military police and jailed for several hours without benefit of court order. He was accused of insulting the chairman of the Policy Center, a government minister, and a visiting head of state. He was freed as the result of widespread strikes and demonstrations by workers and other citizens in protest of the government's action. The same man was among those killed while in military custody on December 8/9.

In August 1982 the military leaders bowed to pressure from the judicial system, lawyers, and national organizations, in reversing a controversial decision to re-arrest two army officers suspected of complicity in the failed March coup, who had been freed by the judge advocate until their trial could be arranged. The officers were ultimately released by the court because of insufficient evidence to link them to the coup attempt.

f. Denial of Fair Public Trial

The guarantee of due process contained in the "transitional Constitution" was denied to those shot by the Government in December 1982. While the "transitional Constitution" does not specifically mention an independent judiciary such as existed before the 1980 coup, most civil and criminal cases continue to be handled in accordance with pre-1980 procedures. The special courts established by the present Government to try all cases of alleged corruption by the former Government continue to be run under traditional rules of law. Regular judges oversee the work of the military investigators and apply normal rules of procedure and evidence during trials. More often than not, fines have been reasonable and sentences meted out have equalled the time the defendants had already been held, allowing immediate release.

Cases dealing with coup plots are handled outside the regular judicial system, in military courts headed by a civilian judge. In the trial of the co-leader and other alleged co-conspirators of the March coup attempt, the military court postponed trial for a review of the evidence after the defense raised several questions of possible conflict of interest on the part of several of the military judges. Although the co-leader was given a 12-year prison sentence by the court, he and lawyers involved with his defense were shot while in government custody in December 1982.

g. Invasion of the Home

Under the "transitional Constitution", approval of a "lawful authority" is required for entry into the home. Civilian police have generally acquired a magistrate's order to enter the home since the 1980 coup. Because the state of emergency is still in existence, however, the military police are under no such restriction. During an October national military readiness exercise following the report that dissident expatriates in Holland may have hired mercenaries to overthrow the Government, there were unconfirmed reports that several homes were entered by military police without prior court approval. During its December roundup of members of its political opposition, the military was unrestrained in its violation of domestic privacy. There was no warning to victims and, as far as it known, the military made no claim that its arrests were sanctioned by law.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Although the "transitional Constitution" guarantees freedom of speech, in the aftermath of the December 8 events all non-government-owned or controlled newspapers and radio stations were closed. This action, combined with the killing of prominent journalists who had been outspoken in their criticism of military rule, has effectively suppressed press criticism of the Government and represents a major erosion of political rights. Before newspapers are allowed to resume operations, the Government has stated that an information code to regulate dissemination of information will have to be adopted. The "transitional Constitution" also guarantees the integrity of letter, telephone, and telex facilities. However, there are unconfirmed reports that selective monitoring and censorship continues. Bouterse has criticized foreign media, particularly the Dutch radio and press, for showing only the worst side of the revolution and ignoring its successes. Bouterse has called the domestic and Dutch media "enemies of the people" who were attempting to "weaken" the revolution by failing to cover the Government's attempts to strengthen the economy. Prior to the closure of all non-government owned or controlled newspapers and radio stations in December, the military insisted that all reports, including broadcast news about internal affairs be approved by the National Information Service prior to publication.

During October 1982 strikes in support of demands for restoration of representative democracy, the Government instituted a partial blackout of the non-government, independent media and also closed two radio stations for several hours when they refused to abide by a prohibition against broadcasting news reports of strike activity. In two incidents earlier in 1982, newspaper editors were called by both the National Information Service and the military authority and ordered not to print articles dealing with the controversial new land law. The Government also cut back its advertising in newspapers which ignore the informal censorship rules, although this action has been publicly explained as due to current budgetary stringencies. In late 1982, prior to the December events, several newspaper articles criticized government policies in sensitive areas, such as relations with Cuba and media control policies, without suffering overt reprisals by the Government.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly is guaranteed in the "transitional Constitution", but the Government continues to prohibit political gatherings. This prohibition was expanded on December 9 when all public gatherings of more than four persons were prohibited. Since then a women's peace march protesting government actions was allowed to take place, but the Government announced that future violators of the ban would be punished, and police have used tear gas to disband other small public gatherings.

Suriname's labor force is large in proportion to total population, is highly unionized (60 percent), and has been active in pressing for the restoration of democratic institutions, particularly during the weeks prior to the December events. The labor movement is divided into four labor federations. The leader of one of the federations, the Moederbond, was among those killed while in government custody in December. A leader of several smaller unions was also killed. The leader of another labor federation was arrested on December 8 but subsequently was released.

In November 1982 a newly formed Association for Democracy, an umbrella organization of 13 traditional business, professional, religious, and community organizations, sent an open letter to the military Government calling for the withdrawal of the army from politics and the establishment of constitutional civilian government. Several civilian lawyers and businessmen associated with that organization were among those killed in December.

Prior to the events of December 1982, petitions by two of the old political parties to gather for the ostensible purpose of celebrating the anniversary of their founding were refused, but gatherings by labor unions and other groups for quasi-political activities had been allowed. Moreover, the Moederbond labor federation had filed a grievance with the International Confederation of Free Trade Unions (ICFTU) alleging government complicity in the break-up of a meeting at the union's headquarters by a government-sponsored youth group. The Government had said only that it would investigate the incident. The ICFTU had written to the acting president of the country and filed a grievance with the International Labor Organization on the matter. As noted above, in early December, Moederbond headquarters was destroyed.

c. Freedom of Religion

Freedom of religion continues to be respected.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Following the events of December 1982, the border was temporarily closed but has since been reopened, although the Government has stated it would continue to "monitor" crossings. Prior to that time, with the exception of a few former government officials being investigated for alleged involvement in corruption, there had been complete freedom of movement within the country and to and from foreign countries. Emigration had been unhindered and repatriation encouraged.

e. Freedom to Participate in the Political Process

Lt. Col. Bouterse is the dominant figure in the small group that dominates the Government of Suriname. Activities of political parties have been prohibited since mid-1980. The four-man Policy Center rules by decree, and elections have not been held. The rulers stress that they fully support public participation in the political process as long as it is through the new non-traditional institutions they have established by decree, such as the "People's Committees," and other "mass organizations" comprising groups such as students and women. Government officials are also accessible to individuals and various interest groups and listen to their views on current issues. But the Government is not constrained to accept these views, and the only limits on the military authority's exercise of power are self-imposed rather than institutional. In a speech on November 15 the Government stated that outlines of "new democratic structures," in accord with "true democracy," would be announced by March 1983. Following the events of early December, Lt. Col. Bouterse announced that beginning in May 1983, all sectors of society will be called to discuss adoption of a "new type of democracy" and that free elections would be held sometime in 1983. Women have traditionally been active politically through various civic organizations. Women do hold positions in various Government ministries. There are currently no women serving in the Cabinet or Policy Center.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Government of Suriname has rejected criticism and protest of the events of December 1982 by various international organizations, including the European Parliament, the ICFTU, and the Caribbean Congress of Labor, and continues to justify its actions as a response to a purported coup attempt and to the activities of labor unions, university students, and various private media organizations to destabilize the Government. The Government also has not responded to a specific letter sent by the AFL-CIO protesting the execution of workers or to a letter from the ICFTU protesting the violation of basic human and trade union rights, both of which were sent in December 1982. The Government also has not yet responded to a September ICFTU letter to the acting President alleging violation of a trade union's right of assembly. Amnesty International wrote in its report covering 1981 that it was concerned over the retroactive character of legislative acts and the actions of the special corruption courts established after the February 1980 coup. Reportedly, Amnesty International wrote to the then Minister of Justice regarding the execution of one of the leaders of the failed 1982 coup attempt and regarding claims of testimony under duress by two other persons being held in the same connection. Amnesty International has communicated its concerns about the December executions to the Secretary General of the United Nations and to the Inter-American Commission on Human Rights of the Organization of American States and asked them to intervene and to urge the Surinamese Government to prevent further executions.

4. Economic, Social, and Cultural Situation

The "transitional Constitution" incorporates the Surinamese rulers' stated intention to provide jobs for all, adequate salaries, housing, medical treatment, nutrition, and education. The Government has increased state control over many economic sectors, justified as a means to safeguard the public interest, and has also expanded government regulatory activities over the still-large private sector.

In 1981 Suriname's population was estimated at 379,000, but as a result of emigration since then, the resident population is currently estimated at 353,000. Suriname's population and its growth rate of 2.3 percent (1980) do not constitute constraints upon its development prospects. However, a significant increase in emigration as occurred in 1980 would have an adverse impact on availability of skilled manpower. Despite recent political and economic problems, social and economic standards have remained generally good, as reflected in available national statistics. Suriname's per capita GNP is $3,042 (1981). While this figure is somewhat high because it reflects Dutch economic assistance, the average Surinamer is relatively well off. All children between the ages of six and 12 are entitled to free public schooling, and adult literacy is estimated at 80 per cent (1975). Suriname has an extensive system of rural medical clinics to supplement the more technically sophisticated urban hospitals, and health care is adequate and inexpensive. Life expectancy at birth is 68.3, and the infant mortality rate is 6.5 per thousand live births. The calorie supply available for consumption is 118 percent relative to nutritional requirements, and malnutrition is not common. Because of the tradition of strong family and community ties, the old, infirm, or unemployed can turn to relatives and friends for food and shelter, and few people live in abject poverty.

Even prior to the events of early December and the subsequent decision of the Netherlands Government to suspend its sizeable economic assistance payments, the Surinamese economy was entering a difficult period, and the Government had been warning the general public and special interest groups to lower their expectations. Because of the world recession, loss of investor confidence due to current political uncertainties, and the delay in promulgating a new investment code and development strategy, the economy remains stagnant. As in 1981, new investments or expansions of existing plants and inventory in 1982 have declined, and many businessmen have reported fear of reduced year-end retail profit figures. The international market for bauxite and rice, the country's two main exports, will not soon stabilize, and the declining revenues will exacerbate the economic and political stresses in a country accustomed to a relatively high standard of living. The suspension of Dutch development assistance, which began at independence in 1975 and which amounted to almost $100 million per year, will seriously reduce funds available for development projects. The Government had also planned to use these funds to expand social welfare programs in areas of jobs, pensions, medical care, and education. In hopes of creating a self-sustaining economy, the Government is now shifting emphasis to more immediately productive areas, in order to reduce import needs, create jobs, and increase tax revenues, as well as meet greatly expanded social welfare demands.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: SURINAME

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.5
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.5
A.AID	0.0	0.0	0.5
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.5
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.5
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS.......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER.............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.5
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.5
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.1	0.0	0.0	58.1
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.1	0.0	0.0	9.6
OTHER-UN	0.0	0.0	0.0	0.7
EEC	0.0	0.0	0.0	47.8

TRINIDAD AND TOBAGO

A former British Colony, Trinidad and Tobago is a stable, multi-party, parliamentary democracy. It inherited many of its political and legal forms and practices, strongly emphasizing rights of the person, from the United Kingdom. It is multiracial and religiously diverse. There is universal adult suffrage from age 18, and regular elections are held.

The economy is based on free enterprise, but with extensive state ownership of industrial plants and public utilities and a high degree of government direction of the economy. The country has a rapidly developing and generally prosperous economy, and wealth is fairly well distributed. Health conditions generally are good. Education is widely available, and the literacy rate is 95 percent. The Government's economic welfare programs are administered on a non-discriminatory basis.

The country has a generally excellent record of human rights observance. The Constitution enshrines internationally accepted fundamental rights and freedoms without discrimination by reason of race, origin, color, religion, or sex. The judiciary is independent, and the Privy Council in the United Kingdom serves as the court of final appeal. No major changes occurred in human rights observance in 1982.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no killings for political motives in 1982, but telephone and graffiti death threats have been made against an opposition member of Parliament and a prominent labor leader. The authorities have the will and the ability to arrest and punish the perpetrators of any political murders which might occur. There are no terrorist groups active in the country.

b. Disappearance

There have been no reports of disappearances.

c. Torture

Torture is forbidden under the law and is not permitted in practice.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution forbids cruel and unusual treatment or punishment and this prohibition is generally observed in practice. However, allegations of excessive police roughness in individual cases continued to occur in 1982. Police officers have been fined and demoted for such illegal behavior, in prior years. Despite some improvements in recent years, physical conditions in the prisons remain harsh. A Commission of Inquiry into prison conditions, headed by the Anglican Bishop, was established in 1974, and, following numerous public sessions and public hearings, submitted its final report and recommendations in February 1980. The report recommended remedial measures to stop police roughness and to improve prison conditions. Thus far, however, only some minor improvements in prison conditions have been made. Construction has just begun on a new and modern prison.

e. Arbitrary Arrest and Imprisonment

Protection against arbitrary detention or imprisonment is constitutionally guaranteed, as is the remedy of habeas corpus. In the past and in 1982, there have been instances, however, when a suspected person has been held under detention for some time before charges were formally placed against him. The law requires that a person be charged as soon as reasonably possible; by convention, the police have used 48 hours as a guideline for bringing charges. However, the police have sometimes surreptitiously kept people for longer periods. The purpose appears to be to coerce detainees, through a show of power, into confessing to a crime or into assisting the police in finding the perpetrators. The police motive is their enthusiasm to halt the growth of crime; it is not political. There have been several instances in which defendants were acquitted because the only evidence against them were confessions obtained through such methods. The courts have been vigilant in protecting defendants against such abuses, and the press has been active in exposing the abuses. There are also charges of excessive delays between arrest and trial. This shortcoming is a result of an overburdened and understaffed legal system and not a consequence of government policy. The 1980 report of a Commission of Inquiry recommended measures to correct this problem, but implementation has been slow. There are no political prisoners.

f. Denial of Fair Public Trail

The right of accused persons to a fair and public hearing by an independent and impartial tribunal in criminal cases is guaranteed under the Constitution and is observed in practice. In addition, the state provides legal aid to impecunious citizens in both civil and criminal cases. Defendants are generally charged within 48 hours, and charges are formally and clearly stated. The judiciary is independent of the executive and the military. There is no political interference. There are no political or security courts. Civilians are not tried by military tribunals. Appeals from civil courts and military tribunals are made to the court of appeal and then to the Privy Council in London in both criminal and civil matters.

g. Invasion of the Home

The Constitution provides for security of the person and the sanctity of the home. These provisions are, for the most part, observed. In the past, there have been press comments about alleged over-zealous house searches and the issuance of search warrants without sufficient cause. The police must show evidence to justify issuance of warrants, and they may be found liable in civil actions if they fabricate evidence. There have been no charges of forced entry or electronic eavesdropping by the police. However, there have been allegations of police demolition of squatters' shacks without warning, on a politically discriminatory basis, and with an intimidating show of force.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of expression and freedom of the press are constitutionally guaranteed and respected in practice. Opposition viewpoints are freely ventilated in Parliament, in public meetings, and in press reports, as well as in paid political advertisements. However, rules regarding political coverage on television tend to favor the incumbent Government. Opposition parties and groups publish newspapers and other printed materials without hindrance. Criticism of government is tolerated. The press has highlighted perceived mismanagement and deficiencies of government without hindrance and with some effect on government performance. Some of the weekly papers have used questionable journalistic tactics which have resulted in a spate of statements by government officials critical of the press, which the press has taken as a threat to its freedom.

There is no political censorship. The Government owns the only television station and one of the two radio stations, but both have a certain degree of autonomy and generally have editorial independence. News programs frequently highlight government deficiencies. Government programs are clearly identified as such. The Government has been charged with deliberately delaying the opening of a non-government television station, allegedly out of fear that programming may be critical of the Government and favor other political groups.

Journalists have not been intimidated, harassed, or arrested. Media have not been closed down. There have been no reports of electronic surveillance or opening of mail. There are no opposition or terrorist groups which inhibit the press or others from freely expressing their opinions or conducting legitimate activities.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly is constitutionally guaranteed and is respected in practice. Public meetings, including those of opposition political parties and groups, are allowed. Permits for street meetings must be obtained in advance from the police to safeguard against breaches of the peace, but are freely granted, including to parties and groups critical of the government. Some opposition groups have at time charged that the police deliberately delay issuance of permits as a form of harassment, but these charges have not been documented and no inquiry has been demanded.

The Government does not impede labor unions in their legally guaranteed rights to organize, negotiate, and strike, except that strikes are prohibited by law in essential services (police, firemen, health and sanitation employees, power and telephone workers, civil servants, and air traffic controllers). Trade union organization is extensive, covering about 30 percent of the work force, and collective bargaining is vigorous and widespread. The Ministry of Labor is an impartial mediator in labor disputes. Unions are not government controlled or influenced and they are not attached to political parties, although some tend to support the ruling party and others generally favor various opposition groups. Neither labor unions nor professional groups have experienced persecution or intimidation. All freely maintain relations with recognized international bodies in their fields.

c. Freedom of Religion

Freedom of religious belief and observance is constitutionally guaranteed and respected in practice. There is no state or otherwise favored religion. Open practice of religion is permitted and widely occurs in numerous faiths. There is no discrimination on the basis of religion. Adherence to a particular faith does not confer either advantage or disadvantage in civil, economic, political, military, or other secular status.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation.

There are no restrictions on freedom of movement within the country or on foreign travel and emigration, all of which are covered under the Constitution's freedom of movement provision. Trinidad and Tobago long has served as a haven for people from neighboring areas seeking a better economic future. In turn, many people have emigrated from the country for similar reasons. All citizens have the right to re-enter the country, and this right is observed in practice. There are no restrictions on where people may reside. Citizenship is never revoked, but can be surrendered if citizenship is taken out in another country.

e. Freedom to Participate in the Political Process

Trinidad and Tobago is governed by elected officials. All citizens, regardless of sex, race, or religion, can take part in the political process. The right to join political parties and to express political views is guaranteed by the Constitution. Numerous political parties exist and participate in free elections, which are held regularly.

The ruling party, which has been in power since before independence in 1962, is supported predominantly by urban blacks but includes Muslim and Christian East Indian groups.

Opposition parties have traditionally been supported mainly by rural Hindu Indians. Opposition parties participate freely in elections and all seats are contested. However, the opposition parties complain about gerrymandering of election districts and rigging of elections by what they describe as a ruling party-dominated Election and Boundaries Commission, and they are seeking electoral reform. The ruling party, on the other hand, attributes problems in the conduct of elections to inefficiences instead of deliberate acts. The opposition also accuses the governing party of influencing elections by discriminating in favor of certain groups and areas in its dispensing of government benefits and by installing its supporters in government housing projects in opposition areas so as to change the political make-up of those areas.

The ruling party has a large (26-10) majority in Parliament and therefore invariably succeeds in passing legislation it wishes and in implementing its policies. Being a highly disciplined party, its representatives seldom argue publicly with each other and do not vote against the leadership. Opposition members are free to speak and do so, and they sometimes have an impact on legislation and policy. Women participate in the political process; several have been elected to Parliament on both the government and opposition sides. Several women are government ministers. Hindus, though a minority politically, are widespread in the civil service and are represented in Parliament on the opposition side.

3. Government Attitudes Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Government of Trinidad and Tobago supports the international observance of human rights and does not object in principle to international and non-governmental investigations of alleged human rights violations. The Government, however, has expressed publicly its concern that allegations of human rights violations can lead to unwarranted interference in the internal affairs of sovereign states and that investigations of such allegations can be used by the strong to apply pressure on the weak. The Government does not support the use of any non-economic criteria in the consideration of loan or other assistance requests by international financial institutions and organizations. Trinidad and Tobago has never been the subject of international or non-governmental investigations in the human rights field.

Several non-governmental human rights organizations (Trinidad and Tobago Human Rights Commission, Human Rights Bureau, and a branch of Amnesty International) operate freely and openly in the country. The Commission disseminates information and organizes public lectures about human rights and lodges complaints with appropriate authorities. The Bureau has conducted seminars to which the public was invited to air complaints, e.g., regarding allegations of police brutality. The Bureau director is active as a barrister in defense of individual cases of alleged human rights violations by government officials. Amnesty International's office has been active in agitating for abolition of capital punishment. A constitutionally mandated ombudsman investigates allegations by citizens that their rights have been violated by government agencies.

4. Economic, Social, and Cultural Situation

Trinidad and Tobago is recently petrodollar rich but it still is a developing nation. Economic growth accelerated after oil prices were increased in 1974. The Government's economic development strategy centers around plans for construction of a number of high-technology industrial projects which will benefit from Trinidad and Tobago's extensive gas reserves. Implementation is now proceeding. The manufacturing sector also is being encouraged and is expanding. Capital formation, financed both officially and privately, has been at a high level in recent years. Infrastructure development is proceeding, but is lagging behind the pace of industrial construction.

Implementation of this industrial development program and other major construction projects has helped to maintain a substantial rate of economic growth. Real growth in 1980 was estimated at 10 percent, following growth of 17 percent in 1979 and 7.7 percent in 1978. Per capita income (for a population of nearly 1.2 million, with a fertility rate of 1.3 percent and an annual growth rate of 2.0 percent) is now estimated at about $5,600. The economy stagnated in 1981 as oil prices and oil production declined. For the immediate future, the Government faces large budget deficits and the first balance of payment deficit in a decade. Unemployment is also expected to increase.

The right to enjoyment of property, which is for the most part privately held and transacted, is protected by the Constitution. Most farmland is privately owned and the majority of landholdings are small, with nearly half under five acres. Subsistance farming is on the decline. A government program of land redistribution--from its own land and from estates sold to the Government--encourages the establishment of medium-sized family farms (5-20 acres) devoted to cash crops.

Largely as a result of the rapid expansion of the economy in recent years, the country has recorded a significant reduction in the rate of unemployment. From a high of 15.2 percent in 1975, this had fallen to 10 percent in 1981, and labor shortages are reported in some skilled and semi-skilled jobs. The Government provides jobs for large numbers of the unemployed in a public works program. Workers in the stronger labor unions, especially in the industrial sector, have been particularly successful in negotiating large wage increases. Unions have also gained improvements in working conditions. Women receive the same pay as men for the same work and occupy many important positions in government, the professions, and business. There are women in the police force and in the army.

Free health care is available and accounts for 10.6 percent of government expenditures (1978). One major new hospital has been built, plans are underway for modernizing and expanding the country's two biggest hospitals, and a network of rural health care centers is nearing completion. Health conditions generally are good. Nutritional requirements are met (111 percent). The mortality rate and the incidence of most diseases are declining. Life expectancy in 1980 was 71.8. The 1980 infant mortality rate was 32.3 per 1,000 live births. Population per hospital bed (1975) was 455; and population per physician (1975) was 1,948. All the urban population and most (93 percent) of the rural population has access to safe water.

The education system, which is free through secondary school and accounts for 19.2 percent of government expenditure (1978), is being expanded and revised better to prepare those who enter directly into the job market. The University of the West Indies has a campus in Trinidad, but many citizens still go abroad (UK, US, Canada) for higher education. The literacy rate is 95 percent. Virtually all school-age children (99 percent) are enrolled (males 98 and females 100 percent).

Income levels are quite diverse. In 1975, the poorest 40 percent of the population received about 11 percent of total income, and the top 10 percent received over 31 percent, while the middle 50 percent received 57 percent. In a recent study by a prominent local economist, however, evidence was provided that indicated income distribution had improved substantially since the mid-70's. Pockets of poverty--in some urban and rural areas--are not large. A housing shortage exists and squatters abound on both government and private lands. Housing construction programs are underway, but are not rapidly eliminating the shortage.

Expenditures in the area of social needs (housing, health, education, and welfare) account for about one-third of the national budget. Staple food items, important elements in the budgets of lower income groups, are kept at relatively low prices through government subsidies, and a free school lunch program--now functioning on a limited scale--is being expanded. Food stamps are available to the elderly and other needy persons. Government and private pensions are sufficient to provide for human needs and at least a minimal standard of living for retirees. A national insurance (social security) plan, to which both employers and employees contribute, is also in effect. Benefits under this plan are relatively generous and are expanding. The Government administers health, education, and income supplement programs on a non-discriminatory basis.

Tobago continues to charge that it receives less than its share of benefits from the economic prosperity of the past few years and claims that its development is being neglected because it has voted for an opposition party in national and local elections since 1976. Talk of secession from Trinidad arises from time to time.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: TRINIDAD & TOBAGO

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.3	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.3	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE........	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.3	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.3	0.0	0.0
PEACE CORPS.......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER............	0.3	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.3	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.3	0.0	0.0
OTHER US LOANS..........	9.7	24.8	35.8
EX-IM BANK LOANS.......	9.7	24.8	35.8
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	1.6	7.9	0.0	152.1
IBRD	0.0	0.0	0.0	111.5
IFC	0.0	0.0	0.0	2.4
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	12.8
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	1.6	2.9	0.0	14.6
OTHER-UN	0.0	0.0	0.0	0.8
EEC	0.0	5.0	0.0	10.0

URUGUAY

Uruguay is governed by a military junta, composed of the ranking flag officers of the three services and led by the President, who is a former Commander-in-Chief of the army. The institutions of the Government of Uruguay include the Presidency, various military service bodies, a Council of Ministers, and an appointed Council of State which acts as the legislature. The President and junta or the three service commanders make the most important national policy decisions. Currently, the military rules as a government of transition, having publicly committed itself to support a constitutional process in 1983/84 which will lead to national elections in 1984 and the return to constitutional, elected government by March 1985.

Uruguay is one of the more advanced of the developing countries, with a per capita domestic product of approximately $3,500 in 1981. Although the economy is currently experiencing a severe recession, the Government has maintained its basic commitment to an open economic model within the free market system. A major program of economic reforms begun in 1978 commited Uruguay to an export-led program of development based on encouraging and diversifying exports, reducing protectionist tariffs and inflation, and increasing governmental efficiency.

Uruguay had long been a democracy with advanced social welfare policies. The late 1960's, however, were a period marked by a national political malaise and economic stagnation that culminated in the breakdown of institutions, and urban terrorism by the Marxist-oriented Tupamaros. Uruguay's civilian leaders, unable to govern effectively, drifted into a reliance on authoritarian practices. In 1972, an elected government passed a national security law which limited individual rights, and expanded police and military powers. In 1973, conflicts between the legislature and the armed forces over the anti-subversion campaign led to the closure of the Congress by the military and a shift to military rule. The military removed the civilian president in 1976 and formed a military government with civilian participation. The new junta outlawed extreme leftist parties as well as the Christian Democratic Party, and suspended the political activities of the traditional centrist political parties. Anti-terrorist activities during 1971-1973, conducted with little regard for individual rights, resulted in the virtual elimination of the Tupamaros. Additional "security arrests" in 1976-77 concentrated on communists and far-left activists. The period 1976 to 1979 was marked by the suspension of political rights and the loss of an independent judiciary.

Since 1978, violations of individual rights have declined, although the institutional framework under which the violations occurred still remains. In 1982, the Government made approximately 100 "national security" arrests, a slight reduction compared to previous years, although above the 1981 level. The number of prisoners held on political or national security grounds declined to 958 as of October 1982, compared to 1,014 in 1981. The Government ordered an end to the use of torture in 1979, although charges of prisoner mistreatment continue. Prison conditions are harsh and abuses occur. The Government frequently detains "national security" prisoners for several weeks beyond the expiration date of their sentences.

Civilian political activity took a significant step forward in November 1982. The traditional Colorado and Blanco parties held internal elections to choose party leaders with 60 percent of the registered populace voting in a peaceful and orderly election. The elections marked an important step toward the return to elected civilian rule promised in 1985. During the campaign, freedom of assembly, speech, and press were liberalized. The Government, nevertheless, maintained control of the process, suppressing several publications and arresting 19 individuals -- 12 for allegedly trying to form an unauthorized political party and seven for "mockery of constitutional institutions."

1. Respect for the Integrity of the Person, including Freedom from:

a. Killing

There was no evidence of killings for political motives in Uruguay during 1982. Neither terrorists nor paramilitary forces were active during this year. Three national security prisoners died in custody. The Government attributed two of these deaths to suicide and one to natural causes.

b. Disappearances

Since 1978, no permanent disappearances have been documented. There were a few cases however, in which the Government detained individuals for several months without revealing their whereabouts. Families were sometimes not informed of the arrest of individuals detained for security reasons until initial investigations were completed, a process which often takes several months.

c. Torture

The 1972-77 period witnessed widespread use of torture to obtain information. Following internal measures taken in 1979 to curb the use of torture, credible reports of physical abuse have declined. Some outside observers and human rights groups report that harsh mistreatment continues to be employed, although there are also indications from relatives of prisoners that physical treatment has improved in the course of the year. Four female prisoners alleged that they were beaten by prison guards in February 1982 but extensive inquiries have not substantiated the charges.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The death penalty and cruel punishment were outlawed by the 1967 Constitution. Prisoners, relatives, and others allege that psychological intimidation, physical abuse, and harassment of prisoners sometimes take place in Uruguayan jails. Such treatment is reportedly most common during the initial phases of detention and interrogation. The treatment meted out to an individual frequently is determined by the nature of the charges, the prominence of the person, the security unit handling the case, and the place of detention.

Human rights organizations have expressed concern over health and living conditions in the prisons, particularly in respect to the medical treatment of prisoners with chronic illnesses. Most political prisoners are held in two military prisons, Libertad for men and Punta de Rieles for women. They are permitted normally to see close relatives every two weeks under restricted conditions and to receive parcels and funds for canteen purchases. Overall, health care is comparable to the national norm and prison diets, although monotonous and limited, are adequate to maintain health.

e. Arbitrary Arrest and Imprisonment

Habeas corpus and other constitutional guarantees have been effectively suspended since 1972 for cases involving national security. Uruguayan authorities insist that all national security prisoners were arrested for violent crimes or other illegal subversive activities, which include the crimes of "undermining the morale of the armed forces" and "disrespect for military authorities."

Since April 1972, approximately 6,300 persons have been turned over to the military justice system. Of this number, over 1,300 were subsequently released without trial. An additional 4,000 were discharged after serving part or all of their sentences. In late 1982, 958 political/national security detainees remained in prison, compared with 1,014 held at the end of 1981. About 300 of the present group of 958 prisoners have been convicted of violent crimes, such as bombing or kidnapping. A small but undetermined number of individuals are detained at any given time without charges under interim national security measures which allow detentions without trial.

During 1982, about 150 political prisoners were released. There were 100 new "national security" arrests reported in 1982. Releases included those freed on parole, with restrictions on their movement and right to travel abroad, and others whose release was conditioned upon leaving Uruguay. Many paroled prisoners flee to other countries. The authorities on occasion have rearrested released prisoners for prosecution on new charges and detained others under interim security measures after the completion of sentences until they agree to leave Uruguay.

Amnesty International in its 1982 report which covers 1981 said that "330 prisoners were adopted by Amnesty International as prisoners of conscience, or were being investigated as possible prisoners of conscience".

f. Denial of Fair Public Trial

Independence of the judiciary was formally restored in 1981, but implementing laws and regulations are still being written and the full independence of the civilian judiciary has not been re-established. As is normal in Latin America, both the civilian and the military court systems use written proceedings. The judge makes decisions on the basis of briefs and often confronts the accused only during arraignment and sentencing. The evidence, arguments and records are normally not available to the public. Strict regulations are applied. Detainees are free to choose their own counsel, but usually accept court-appointed defenders. Counsel does not have pre-indictment access to clients or full access to the evidence. The defense role is limited largely to sentence bargaining and appeals for early release.

An individual accused of subversive activities is subject to trial under the military justice system, which is closed to public scrutiny and often arbitrary. Human rights organizations and commissions have consistently charged that the military judicial system fails to guarantee due process and adequate protection of the defendant. The military tribunals impose procedural restrictions that limit the defendant's ability to mount an effective defense. Standards governing the admissibility of evidence are less rigorous than under ordinary penal code. Sentences imposed on political/security prisoners are often lengthy, more than 10 years. Although rarely done, the decisions of the military courts may be appealed to the Supreme Court. There were no open proceedings before the Supreme Court in 1982.

Since 1978, Uruguayan authorities have accelerated the work of the military court system. The backlog of prisoners awaiting indictment has been largely eliminated. The number of persons not yet sentenced declined from 400 in 1979 to about 50 in 1982, including some of the more prominent prisoners who are still awaiting final sentencing after nearly a decade in custody.

g. Invasion of the Home

Guarantees of inviolability of the home are respected in non-security cases but are suspended under the interim security measures for persons suspected of terrorism, subversion, or other national security violations. Recent reports of government intrusion into the lives of private citizens include an allegation that the Government planted listening devices in the office of a rural federation critical of the government economic policy. Politicians and others report that they are subjected to police surveillance.

2. Respect for Civil and Political Rights, Including;

a. Freedom of Speech and Press

The information media are restricted, but the trend toward greater freedom of expression, begun in 1980, continues. A number of weekly and monthly publications, some opposed to the Government, circulate widely in Uruguay. The press operates under a system of self-censorship, monitored by the National Office of Public Relations. While the junta has not published specific rules explaining what can and cannot be published, it has warned journalists to avoid criticism of the armed forces and government policies and to avoid reference to proscribed politicians. These warnings are occasionally ignored without penalty, but on other occasions the Government has reacted by closing publications.

Despite the overall positive trend, the Government in 1982 reacted to press criticism with increased frequency and severity as the election period approached. During 1981, the normal period of closure was four issues. During the first half of 1982, five publications were closed for eight issues. The Government closed one weekly for 24 issues, and two other magazines permanently. The editor of one weekly was detained for one week in September, on charges relating to an article published in 1981. Several editors and authors were questioned or warned by the police and judicial authorities to moderate their criticism of the government.

While the authorities took more punitive actions against the press in 1982, there was a significant net improvement in the overall flow of information, opinion, and criticism. Virtually all major political groups actually participating in the 1982 elections published their own weeklies. A Blanco Party newspaper, closed by the Government in July, was replaced by two weeklies and a monthly. Articles in the press cover a range of topics previously considered untouchable.

Freedom of speech, particularly during public assemblies, was less restricted than in previous years when such freedom was virtually non-existent. During the election campaign in 1982, as during the 1980 constitutional plebiscite politicians were allowed to speak to large crowds and to discuss a variety of new topics. The Government, however, reacted strongly to what it considered excessive public attacks, jailing five politicians who were barred from further participation in the 1982 elections and the 1983 party conventions.

b. Freedom of Peaceful Assembly and Association

The political party statute and its implementing regulations established the right of public assembly and campaign activities. In preparation for the internal party elections in November 1982, numerous political factions opened headquarters and held meetings, rallies, and parades. The parties were required to file for police permission prior to rallies and were restricted from downtown Montevideo, except for a massive victory rally after the elections. There was some variance in the interpretation of the rules governing assembly in some of the towns in the interior. Freedom of assembly and association was extended during the months before the party elections, except to proscribed parties such as the Christian Democrats, Socialists, and Communists, and individual proscribed politicians.

The Government through the Ministry of Education exercises centralized control over primary, secondary and university education. The Ministry appoints the university rector and approves course materials at all levels.

The Government began to relax some of the constraints on labor organizing and collective bargaining in 1978 and democratic trade unions and their national confederation started to revive slowly. A new labor code guaranteeing the right to organize and to bargain collectively was enacted in 1981, but with significant labor controls. The right to strike, expected to be restored in 1982, remained suspended. The Government closely controls all labor activities to ensure that there is no revival of the communist-dominated national labor confederation of the early 1970s and previous years.

The International Labor Organization in 1981 expressed satisfaction with improvements made in the Uruguayan labor code in that year. In 1982, the Labor Ministry reported that some 50 labor unions were legally recognized and over 100 were in the process of seeking legal recognition through the third quarter of 1982. No federations or confederations had been registered by that date.

Private associations operate normally, with few restrictions, but do not participate in political activities.

c. Freedom of Religion

Uruguay is a secular state. Religious freedom is constitutionally guaranteed and respected. There were no reported incidents of anti-Semitism in 1982, as had occurred in previous years. The Korean-origin Unification Church has been allowed to register and operate despite vocal opposition from certain critical elements in Uruguay.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There are few restrictions on freedom of movement. A high percentage of the population, estimated at over 10 percent, has emigrated in the last decade. The Government sometimes delays or denies renewal of passports to persons suspected of national security offenses. There have been no known forcible repatriations since 1978. A small number of national security prisoners, including some dual nationals, have been required to leave Uruguay as a condition for their release from prison. Proscribed individuals and those who departed Uruguay illegally, would have difficulty returning. About 10 Polish seamen applied for refugee status in Uruguay in 1982. They have been allowed to remain but are still awaiting formal determination of status.

e. Freedom to Participate in the Political Process

The armed forces in Uruguay rule through several organizations, including the Junta of Generals, the National Security Council, and the Joints Chiefs of Staff. The President of Uruguay is served by 12 ministers, two of whom are military officers. Military officers, both active and retired, hold senior-level government positions once held by civilians. Military spokesmen have declared that, while the country is in a process of transition to democratic civilian rule, there will be no sharing of power -- the reins will stay firmly in the hands of the military until power is transferred in March 1985. Military spokesmen have also announced the determination of the armed forces to retain a predominant influence on all issues affecting national security after civilian rule is restored. They reject any possibility of investigations into military acts committed during the "internal war" of the 1970s.

On November 28, 1982 the Uruguayans voted in party elections, the first formal elections [aside from the 1980 plebiscite] since 1971, choosing 500 convention delegates for each of three traditional parties. While government officials were not elected, this contest was an important step in the process of return to democracy. The vote was peaceful, orderly, and with a significant turnout. During 1983, the delegates will choose political representatives to negotiate a new constitution with the military and participate in party conventions to nominate candidates who will run for office in the 1984 general elections.

The three parties which were allowed to participate in the 1982 elections included the two traditionally strongest parties -- the Blancos (National Party) and the Colorados -- which together accounted for approximately 82 percent of the vote in the 1971 elections, and in the past have often accounted for about 90 percent of the electorate. Minor parties, including the Communists, Socialists, and Christian Democrats, were not allowed to participate. A small number of major leaders of the traditonal parties were also not allowed to run. Numerous factions within the Blancos and Colorados, some expressing strong disagreement with the military government, took part and opposition groups won a large majority. The campaign was active. Rival factions within the parties concentrated on organization and turning out the vote. Nationwide, there were almost 30,000 candidates for the three national conventions and the local conventions in each department. Convention delegate candidates ran on lists by department. There were 274 lists in the 19 departments.

Holding of a government job is subject to a test of political loyalty to the existing government system. Few individuals, however, lost their jobs in 1982 because of political activity.

Women in Uruguay are accorded equality before the law. They attend the national university and pursue professional careers in large numbers. A female cabinet officer was appointed in 1981 for the second time in Uruguayan history. Another woman was appointed in 1981 as Uruguay's first female Supreme Court Justice. Overall, equality of pay is not always granted, especially to ordinary workers in the private sector. There are also some barriers to equality stemming from traditional social patterns and restricted employment opportunities. Overall, the position of women in Uruguay compares favorably with the norm in Latin America.

3. Government Attitude Regarding International and Non - governmental Investigation of Alleged Violations of Human Rights

Uruguay amended its constitution in 1976 to permit international monitoring of human rights under certain strict conditions. Since 1976 it has responded to inquiries made in the United Nations Human Rights Commission, which considered Uruguay under its confidential procedures. In connection with the work of the Commission, a special representative of the Secretary-General of the United Nations visited Uruguay in February 1982. The Government also cooperated with the International Labor Organization regarding trade union practices. Generally, however, the Government either ignores the charges of these international organizations or takes a defensive attitude, arguing that these international organizations or special circumstances of its internal war against subversion should be taken into account. It has not agreed to permit the Inter-American Human Rights Commission to visit Uruguay.

Other organizations, including B'nai B'rith, Canadian parliamentarians, and important European groups have visited and/or maintained a dialogue with the Uruguayan Government on human rights issues. The International Committee for Red Cross held talks in 1982 with the Uruguayan authorities on renewing prison visits, discontinued in 1980.

The few human rights organizations in Uruguay have been restricted in their activities by the Government. An office of Paz y Justicia, not connected to the Vatican Commission on Justice and Peace, opened in Uruguay in 1981. The Jesuit priest who ran the office in 1982, contributed to a magazine which had published some controversial articles. The priest was called for questioning but was not detained. The Government closed the magazine, objecting to its praise of the Nicaraguan Sandinista regime. Amnesty International's 1982 report, which covered 1981, stated that the organization's concerns in Uruguay were "the large number of prisoners of conscience; harsh and inhumane prison conditions; and the use of emergency powers to deprive detainees of legal safeguards before military courts whose procedures did not conform to internationally recognized standards for a fair trial." Freedom House's 1982 report classified Uruguay as "Partly Free."

4. Economic, Social, and Cultural Situation

Uruguay compares favorably with the rest of Latin America, and often with the developed countries as well, on a broad spectrum of socio-economic indicators. With a per capita gross domestic product of $3,500 in 1981, Uruguayan average income is relatively high. Indices of income distribution show that income is more equally distributed in Uruguay than in most developing countries. Hence, the incidence of extreme poverty is low and virtually all of the population enjoys an adequate diet and at least minimal standards of living.

The availability and standards of medical care also are considerably above the rest of Latin America. There is high life expectancy at birth (70.7 years in 1980) and low infant mortality (37.4 per 1,000 live births in 1981). In 1975, 84 percent of the population had access to safe water and the quality of public sanitation compared favorably with that of other developing countries. Health care is free to the poor and available at nominal cost to others. The caloric supply available for consumption in Uruguay was 114 percent of nutritional requirements in 1977.

Uruguay has a 94 percent literacy rate [1976]. Virtually all children receive a primary school education. Total adjusted primary school enrollment ratio was 105 in 1978. Secondary school attendance also is relatively high, and university education is free. Male students outnumber females in higher education by a small margin. There is no variation by sex at primary and secondary level.

For half a century, social welfare and wider income distribution were prime objectives of economic policy. Income in the postwar period was as evenly spread in Uruguay as in Western Europe. However, the country's economic policies were not successful in stimulating economic growth. Private sector activity contracted in the period 1955-1974 and overall output stagnated while inflation soared. Since 1974, under new policies, the economy has grown significantly, with a per capita output of 28 percent. Nonetheless, it was accompanied by a sharp decline in real wages and a narrowing in the distribution of income. Real wages began to increase in mid-1980, but dropped again in 1982. Economic growth declined again to one percent in 1981 and 6.1 percent negative during the first quarter of 1982. Inflation declined to approximately 20 percent in 1982; however, a severe recession raised unemployment to over 11 percent.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: URUGUAY

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.1	0.8
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.1	0.8
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.1	0.8
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.1	0.8
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.1	0.8
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.1	0.8
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.1	0.8
OTHER US LOANS..........	0.0	14.9	0.0
EX-IM BANK LOANS.......	0.0	14.9	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	163.5	145.1	10.0	786.8
IBRD	93.0	70.0	0.0	397.2
IFC	10.7	0.0	0.0	20.8
IDA	0.0	0.0	0.0	0.0
IDB	57.5	75.0	10.0	346.5
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	2.3	0.1	0.0	21.4
OTHER-UN	0.0	0.0	0.0	0.9
EEC	0.0	0.0	0.0	0.0

VENEZUELA

Venezuela has enjoyed 24 years of democratic government and it continues to be a free, multi-racial, and pluralistic society. Its democratic institutions remain strong despite the economic difficulties of the last several years and the problems of enormous social change, a massive rural-urban population shift, inflows of illegal immigration, and a rising curve of expectations among its citizens.

Some of the principal observations in this report are:

The voluntary handing over of executive power to an elected opposition has been firmly established in Venezuela.

Democratic processes have been institutionalized and accepted by all significant elements of the society.

Venezuela has an energetic, free, and open press and media system which operates for the most part without government interference.

The Venezuelan Government maintains both in theory and in practice its commitment to human rights, religious freedom, and freedom of expression.

The military respects the President's constitutional role as commander in chief and is responsive to the freely-elected civilian government. The military seldom involves itself in politics.

The Government of Venezuela is active in promoting and supporting democratic governments throughout Central and South America.

The reform of the Civil Code passed by the Venezuelan Congress in July 1982 significantly extended women's legal rights.

Venezuelans enjoy a high degree of individual liberty. Their civil, personal, and political rights are protected by a judiciary which enforces habeas corpus, a free press with a history of attention to instances of executive mismanagement or human rights abuses, and a political system which features constant competition for public attention on social issues.

Successive democratic Governments have pursued policies to attract marginal radical political groups into the established political process with such success that the president of Venezuela's third largest party is a former guerrilla who accepted the proffered opportunity to renounce violence for legitimate politics. President Herrera's amnesty program was the culmination of this process. Most of the small armed opposition has accepted its benefits and have returned peacefully to the mainstream of Venezuelan society.

Venezuela is South America's largest petroleum producer, and has the highest per capita gross domestic product (GDP) of any country on the continent, approximately $4,781 in 1982. The nationalized oil industry, although administered as an independent entity, funnels over one half of its gross income to the central Government. Despite relatively high employment, income distribution is uneven. Government social programs are designed to reduce this inequity and are directed at infrastructure building, health care, education, and housing. Nevertheless, these programs have been severely hampered by administrative problems, including some corruption, and by massive immigration of rural populations to urban areas during the past decade. Expenditures in these and most other areas are now being cut back somewhat because of budget shortfalls caused by falling petroleum revenues.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

The Venezuelan Government does not permit or engage in killing for political purposes, although a number of deaths have occurred in the conduct of regular police operations and in the continuation of the Government's anti-guerrilla program. A small group of terrorists is still sporadically active in northeastern Venezuela. Their activities have included attacks on police and security outposts, robberies, and murder of persons who they claim are government informants. The Government stepped up its anti-guerrilla campaign in 1982 with considerable success. About three dozen lives have been lost in this process. Some leaders of small leftist political parties have expressed concern over possible excesses in these anti-guerrilla operations.

b. Disappearance

There have been no charges of disappearances, government abductions, secret arrests, or clandestine detention during the past year. Enforcement of official accountability is effective in the civilian courts, but, according to Venezuelan law, it is limited in cases subject to military jurisdiction (i.e., crimes against the security of the state) which are dealt with by military courts.

c. Torture

The 1961 Constitution states that "no one may be held incommunicado nor subjected to torture or to other proceedings which cause physical or moral suffering. Any physical or moral attack inflicted on a person subject to restriction of his liberty is punishable." Constitutional guarantees of the integrity of the person are enforced. There is no approved practice of torture, although there have been a few credible reports of prisoners being beaten by prison guards.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Venezuelan laws prohibiting cruel, inhuman, or degrading punishment are generally respected. Some infractions no doubt occur, however, because of inefficiency or excesses on the part of local law enforcement officials. Prison conditions are spartan, and sometimes violence occurs. In Tocuyito prison, conditions were so bad that 15 prisoners were killed and 20 wounded by other inmates in a one-and-a-half month period in 1982. A subsequent investigation found the main problem to be lack of supervision, although crowding and poor food contributed to the circumstances leading to the violence. Such cases, when brought to the public eye, are rectified. Women offenders with small children are rarely imprisoned because of a consideration of "family responsibilities."

e. Arbitrary Arrest and Imprisonment

Since the implementation of the Herrera Government's amnesty program in 1979, there have been no claims substantiated that any prisoners or detainees have been held in serious disregard of their rights under the Venezuelan Constitution. The Government maintains that those detained or imprisoned have been either convicted or formally charged with specified criminal acts. Despite claims to the contrary by families and supporters of some incarcerated persons, no pattern of arbitrary arrest or imprisonment appears to exist. Habeas corpus is an established practice, and arrested persons cannot be held legally for more than eight days without formal charges being lodged against them. Occasional local violations of this legal limit may occur, but without formal government approval. Family members and legal counsel have regular access to inmates. Although habeas corpus is not an issue, there is one case involving four individuals charged with the bombing of a Cuban airliner in 1976 that has not been resolved. The four defendants remain in prison.

f. Denial of Fair Public Trial

Venezuelan law and practice provide for fair trials and the presumption of innocence until proven guilty beyond a reasonable doubt. The criminal court system can be described as lenient. Rules of evidence are strict and convictions are not easy to obtain. A law passed in April of 1980 provides for supervised parole, rather than imprisonment, of persons either convicted of crimes or detained pending trial for crimes whose prescribed penalties are five years imprisonment or less. The intent--still to be fully realized--is to reduce the prison population and eventually to offer probation as an alternative to those facing detention for less serious crimes.

There are no political courts in Venezuela. Except in the case of civilians tried by military courts for subversive or terrorist acts, the civilian judiciary exercises complete jurisdiction independent of any other authority. Charges in both civilian and military courts must be for specific criminal offenses, and the rules of evidence are strict. Military justice provides for full access to the court by the accused and his lawyers, but third party access to the proceedings is left to the judge's discretion. Appeals of convictions can be made to the Supreme Court. The amnesty granted by the Herrera Government early in its mandate greatly reduced the numbers of civilians held under the military justice system.

g. Invasion of the Home

The Venezuelan Constitution provides that "the home is inviolable." Court warrants are required for an official to enter a private residence. Legal safeguards against arbitrary invasion of the home are respected in practice.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Radio, television, and the press in Venezuela are free and often highly critical of the Government. Although the Government accepts criticism, there are tensions between the Government and the media, and occasional confrontations do occur. In such cases, the media's reaction is inevitably immediate and sharp. In one case in late 1981 involving a journalist charged with revealing sensitive information about a military training exercise, the Supreme Court found in the defendant's favor and returned the case to civilian jurisdiction from its original venue in military courts. The charges were subsequently dropped.

Censorship and interference in cultural and academic fields on political grounds rarely occur, although the Government reserves the authority and exercises the obligation to protect public morality. Major parties and political figures are often the butt of satirical stage, television, and press treatment without any evidence of government interference. One film, however, was suppressed in 1982. The film dealt with the murder of three youths in which a police officer was implicated. The producer of the film was arrested on charges dealing with national security and the film confiscated. While the producer has since been released, the film has not. Counter-charges of censorship brought by the press are still in the courts pending adjudication.

b. Freedom of Peaceful Assembly and Association

Labor is the "object of special protection" under the Constitution and Venezuelan labor unions are free, independent, and powerful. Strikes are frequent, tolerated, and peaceful. Professional and academic associations flourish without interference. Freedom of assembly is respected (with some limitations on the grounds of public safety) and public meetings of opposition groups are frequent.

c. Freedom of Religion

There is no state religion. While the population is overwhelmingly Roman Catholic, other groups are allowed to proselytize actively. Adherence to minority religious groups carries no social or political disadvantage. Members of various Protestant evangelical groups active in remote areas of Venezuela have, however, been subjected at times to personal harassment by local authorities. This harassment does not have the sanction of the national Government, which fully supports religious freedom. A federal commission has been formed to investigate the charges and counter-charges which have been brought concerning these missions.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There are no restrictions on freedom of movement, either within Venezuela or abroad, with the exception that a special permit is required to travel to the Amazon region of the country for "security reasons" that are not clearly defined. Venezuelans may emigrate without restriction, but few do so. There is also freedom to repatriate without prejudice. Citizenship can be renounced, but not revoked. Recovery of nationality requires a residence period of two years for Venezuelan-born repatriates.

Immigrants, both legal and illegal, are assimilated easily into society. Venezuela's immigration policies have been liberal, but a trend toward tightening them continues. No reliable statistics are available regarding the number of aliens in the country, although it has been estimated that up to 300,000 illegal immigrants -- the majority said to be Colombians -- are living in Venezuela. In an effort to solve the undocumented alien problem, the Government has offered residence documents without prejudice to employed illegal aliens registering with the authorities. Venezuela has traditionally been a haven for political and other refugees from the Western Hemisphere, as well as from Europe, but no statistics are available as most are processed under normal immigration procedures. In recent years Venezuela has not encouraged the entry of refugees, but seldom are any expelled once they gain entry. A special "family reunification program" exists for the close relatives of the 50,000 or more Cuban refugees living in Venezuela.

e. Freedom to Participate in the Political Process

Venezuela is a multi-party democracy with full citizen participation. Elections for president, a bicameral congress, and municipal councils are held every five years, with voter turnout approximating 90 percent. Two major centrist parties, Social Christian (COPEI) and Social Democratic (Accion Democratica), have elected presidents and held a majority or plurality of the seats in the Congress during Venezuela's 24 years of uninterrupted democracy and between them account for about 90 percent of the vote. There is a proliferation of minor parties, some of which were outgrowths of former guerrilla organizations. They hold approximately 15 percent of the seats in the national legislature. Both major parties encourage and support the existence of minor parties. The electoral process is overseen by an independent Supreme Electoral Council, to which representatives of all the major and most of the minor political groupings belong. National party status is awarded by this body according to a series of laws which are strictly and impartially enforced. Regional status is frequently granted to those groupings which are too small to meet standards for qualification as a nationwide party.

The Venezuelan Constitution prohibits discrimination on the basis of sex, and women are accorded equal political rights, as well as "special protection" in the workplace. The rapid pace of modernization and social change has contributed to a continuing re-examination of the role and rights of women. There are five women in the Venezuelan cabinet, and educated women are increasingly prominent in the professions, in the judiciary, and in public administration. Women are also increasingly active in all political parties. On July 26, 1982, a reform of the Venezuelan civil code was passed that extended women's rights. Among the changes are: requirement of spousal consent for administration and sale of community property, shared parental authority over minor children, and a new provision permitting separate legal residence. Women are still underrepresented in political and economic life, although their presence at managerial levels is increasing slowly. The female blue collar labor force is also growing, but largely at the lower-paying level. A strong cultural bias remains against employment of women in "men's jobs." Even though wage and employment differences do exist, there is a trend toward greater equality of opportunity in the workplace.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Venezuelan Government has traditionally supported the creation of a United Nations mechanism for the monitoring of human rights violations as well as the work of the UN and Inter-American Human Rights Commissions. (In 1981 Venezuela ratified the Pact of San Jose accepting the jurisdiction of the Inter-American Court of Human Rights.) Domestically, the Fiscal General (Attorney General) is charged with this function in cases under civil court jurisdiction. An Amnesty International office operates freely in Caracas, as does the Latin American Foundation for Human Rights and Social Development. The local press is a major monitor of alleged human rights violations in Venezuela, and it does not hesitate to accord such allegations headline treatment. Venezuelan authorities are sensitive and responsive to approaches by recognized human rights organizations. Venezuela is also a frequent and vocal critic of governments in Latin America and elsewhere that commit or tolerate wide-spread human rights violations.

4. Economic, Social, and Cultural Situation

Venezuela has a population of 15,248,000, which is growing at an annual rate of 3.3 percent. Life expectancy at birth is 67.4 years and the infant mortality rate is 45 per 1,000 live births. About 83 percent of the population is urbanized. Despite the country's tremendous resources and potential, and despite the Government's well defined development plans, there has been no growth in the economy and a decrease in real per capita income over the last four years. Capital outflow due to private sector lack of confidence continued in 1982. Investment was also down because of high interest rates and poor economic prospects in general. A restrictive monetary policy during the last year has been instrumental in holding inflation down to approximately 11 percent, but it has also depressed business activity. There are no restrictions to property rights based on sex, race, nationality, and religion or social status. There are some limitations, however, on foreign participation in business enterprises in Venezuela.

The Government is making an effort to assist those on the lower end of the economic scale. In 1981 the Government established a system of low-interest loans to assist in the purchase of lower priced housing. The Sixth National Plan (1981-1985) was specifically aimed at improving the overall quality of life of less advantaged Venezuelans by improving education (82 percent of the adult population is literate), housing, and public health services, but some cutbacks in these social programs are now underway because of falling international oil prices and the consequent shortfall in expected government revenues. It has also been charged that corruption in both the public and private sectors is a serious impediment to efficient use of limited resources. Little reliable information is available on this allegation, however, although legal action is sometimes taken and convictions obtained. The Venezuelan Government's currently defined poverty level is $465 per household per month. A 1979 study revealed that some 81 percent of rural households and 38 percent of urban households in Venezuela fell below this poverty level. The ratio of calorie supply available for consumption relative to nutritional requirements is 99 percent, and 75 percent of the population has access to potable water.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: VENEZUELA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.1	0.2
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.1	0.2
A.AID	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.1	0.2
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.1	0.2
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.1	0.2
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.1	0.2
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.1	0.2
OTHER US LOANS..........	160.2	59.5	26.0
EX-IM BANK LOANS.......	160.2	59.5	26.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	1.8	0.1	0.0	635.4
IBRD	0.0	0.0	0.0	342.2
IFC	0.0	0.0	0.0	25.4
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	232.8
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	1.8	0.1	0.0	32.9
OTHER-UN	0.0	0.0	0.0	2.1
EEC	0.0	0.0	0.0	0.0

EAST ASIA AND THE PACIFIC

AUSTRALIA

Australia is a multi-party parliamentary democracy. Voting is compulsory for those over the age of 18. The Australian Federal Parliament consists of a 125-member House of Representatives and a 64-member Senate. Seats in the House of Representatives are allocated among the states and territories according to population. The Senate consists of ten members from each of the six states and two members from each of the two territories. The next federal elections are scheduled to take place no later than November 1983.

Australia has an advanced industrial economy with a high per capita income and government programs that provide economic support for the relatively disadvantaged elements of the population. The Government is committed to maintaining minimum standards of health and well-being for all Australians. Australia has actively supported immigration into Australia and has also taken a very large number of refugees in proportion to its population. As a result, the Australian population now includes a significant mixture of ethnic groups, both European and Asian.

Australia has been in the forefront of those countries promoting human rights both domestically and internationally. Fundamental human rights are guaranteed by law and respected in practice. Protection of the rights of Australia's 180,000 aboriginals is of particular concern to the Government. Racial discrimination is prohibited by law. The Government recognizes that aboriginals are a disadvantaged group and has provided special programs and assistance. During 1981-1982 the federal Government provided more than $228 million for aboriginal advancement programs.

Human rights are fully protected in Australia. There is full participation in the political process and individuals are not subject to infringements of person or property. The Government makes a major effort to investigate reports of discrimination and to implement fully laws protecting the individual.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There were in 1982 no known instances of politically-motivated killings in Australia by either the Government or by domestic opposition groups. In the past there have been incidents of violence by terrorist groups supporting foreign causes, but no such incidents occurred in 1982.

b. Disappearance

There have been no reports of politically-motivated disappearances in Australia.

c. Torture

Torture is not condoned in Australia, and there are no reports that it is practiced. Protection against torture and cruel treatment derives from English common law. Perpetrators would be punishable under criminal law governing assault, battery, and malicious wounding.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Australian law prohibits cruel, inhuman, or degrading treatment or punishment, and this prohibition is respected in practice. Abuse of prisoners and use of excessive force by police are not condoned, and there are adequate procedures to deal with offenders. Prison and detention facilities provide adequate shelter, food, and medical care. Prisoners' families and lawyers are allowed freely to visit them.

e. Arbitrary Arrest and Imprisonment

Australian law prohibits arbitrary arrest and imprisonment and this prohibition is respected in practice. Arrested individuals must be brought before a magistrate without undue delay. Writs of habeas corpus are available to ensure that persons are not arrested without charges being brought against them promptly and to guarantee their right to apply to the courts for release pending trial. Preventive detention is not practiced.

f. Denial of Fair Public Trial

Australian law guarantees the right to a fair hearing, the right to a fair public trial and the unimpeded right of counsel. There are no reports that these guarantees are denied in practice. Public assistance is available for those unable to pay for legal counsel. Defendants are informed in advance of charges and have pre-trial access to evidence against them. By law defendants are entitled to call and cross-examine witnesses and are protected against self-incrimination and double jeopardy. Australians are protected by law against ex post facto criminal prosecutions. The Australian judiciary is independent. Judges are appointed by the executive branch and remain in office until retirement or resignation. Civilians are tried in civil courts and have the right of appeal to higher courts.

g. Invasion of the Home

Under Australian law and in practice, no search may be conducted without a judicially issued warrant. The Australian federal police may make use of listening devices in national security and narcotics investigations, with authorization from the judiciary.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These basic rights are guaranteed in law and respected in practice. Private enterprise plays the dominant role in the media and there is no press censorship. Opposition parties are completely free to express their viewpoints. There is no political censorship of books or artistic works. There is full academic freedom.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly is guaranteed in Australia. Occasionally there have been complaints that the laws or regulations of a particular state limit assembly. For example, in Western Australia, the Police Act, as amended, requires that advance permission be obtained from the Commissioner of Police or an authorized officer before a procession or a public meeting can be held in a public place. The Commissioner may not withhold permission unless he has reasonable grounds to believe the meeting will imperil public safety. Only infrequently has permission to hold a meeting at a specific place been denied because of concern about public safety. Upon several occasions, however, individuals, mostly trade unionists, have been arrested and fined for holding meetings without obtaining permission in advance.

Australian trade unions are strong, well organized, and active both in politics and in industrial relations. Approximately 54% of the Australian working force is unionized. The rights to organize, strike, bargain collectively, and lobby are guaranteed in law and exercised in practice (including by government employees).

c. Freedom of Religion

There is complete freedom of religion in Australia. There is no established church and there are no restrictions on religious activities or membership. Religious affiliation does not affect civil, political, economic, or other secular status.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

There are no restrictions on movement within or outside of Australia including the right of emigration and repatriation. Race is barred as a criterion for approval or rejection of application to immigrate to Australia. Australia has been in the forefront of countries accepting refugees for resettlement. Since 1975, Australia has taken more than 65,500 refugees from Indochina. In addition, Australia has welcomed significant numbers of refugees from elsewhere in the world, including Eastern Europe, and the Middle East.

e. Freedom to Participate in the Political Process

As a multi-party parliamentary democracy, Australians participate in their Government through a two-chamber parliament, elected by popular vote; voting is compulsory.

State electoral procedures are set by each individual state. Occasionally there have been complaints that certain amendments relating to the enrollment and voting procedures of the state of Western Australia have had the effect of restricting the right of aborigines to vote.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Federal Racial Discrimination Act of 1975 prohibits all forms of racial discrimination based on color, race, ethnic background, or place of birth. In 1982, the High Court of Australia upheld the constitutionality of this Act some provisions of which had been challenged by the state of Queensland in 1981. Under the 1975 Act an annual report has been prepared by the Commissioner for Community Relations, an exercise which has proved an effective instrument for achieving greater equality of opportunity and enjoyment of human rights for the entire Australian community.

In 1981 Parliament approved the creation of an Australian Human Rights Commission which has assumed responsibility for the administration of the Racial Discrimination Act. The Commission is charged with promoting the observance of human rights by monitoring Commonwealth laws and regulations, hearing complaints, and making recommendations to the Government. The

Commission is authorized to cooperate with state governments on human rights matters under state jurisdiction. The Human Rights Commission actively investigates reports of social discrimination in Australia. During the first six months of 1982 the Commission received more than 350 complaints for its review and investigation. Approximately one-third of the complaints related to aboriginal people.

The Australian aboriginals traditionally were a racially distinct people living as hunter-gatherers and dispersed across Australia. At the time of European settlement about 200 years ago, it is estimated that there were about 300,000 aboriginals spread throughout Australia. They comprised 500 tribes, speaking about 200 different languages. There are now about 180,000 aboriginals and Torres Strait Islanders in Australia - more than one per cent of the country's population.

The Government acknowledges that the aboriginal population is disadvantaged in such areas as education, housing, health, and employment. The Government has a range of programs aimed at providing to aborigines services available to other Australians, plus additional services to improve their socio-economic conditions. In 1981, a World Council of Churches delegation visited Australia and later issued a report which questioned the Government's efforts to help the aborigines. In response, government officials acknowledged that there were still deficiencies in aboriginal conditions, but pointed to the significant progress that has been made in past years and underlined the Government's continuing commitment to improving aboriginal welfare.

The question of land rights on aboriginal reserves has been of continuing controversy in Australia. This question is primarily the responsibility of state governments. In some states land reserved for aboriginals has been vested in aboriginal land trusts as freehold land. In Queensland the state Government has proposed a grant of deed in trust, rather than freehold tenure, but this has not been accepted by aboriginal groups who argue that it does not provide adequately secure land tenure for the aboriginal inhabitants of reserves.

Australia has ratified the International Convention on the Elimination of all Forms of Racial Discrimination and reports biennially to the UN Committee on the Elimination of Racial Discrimination. It is the Government of Australia's policy to respond to all communications transmitted by the United Nations Secretary General which allege violations of human rights in Australia. The Government has also replied to cases raised by the London-based Anti-Slavery Society and the Minority Rights Group regarding complaints by aborigines.

There are a number of organizations in Australia which are active, strong, and independent monitors and protectors of human rights, including the Australian Chapter of the International Commission of Jurists and the Australian Council of Civil Libertarians. In addition, the Office of the Commonwealth Ombudsman, established in 1977, is empowered to investigate complaints concerning administrative actions of Commonwealth government departments, statutory bodies, and other authorities. Whenever maladministration is found to occur, the Ombudsman is required to report to the body concerned and may include recommendations for remedy. In the event of a failure to comply with a recommendation, the Ombudsman may report the matter to the Prime Minister and Parliament.

4. Economic, Social, and Cultural Situation

Australia enjoys one of the highest living standards in the world. In 1981, the per capita Gross National Product was $9,818.1 and the infant mortality rate was 11 per thousand live births. Life expectancy at birth was 73.7 years in 1980. The population of Australia in 1981 was 14.8 million and the 1980 population growth rate was 1.7%. Adult literacy is effectively 100%. About 28 percent of the budget is devoted to social security and welfare. Basic food, shelter, health care, and social security benefits are guaranteed for the entire population, including recent immigrants.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: AUSTRALIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
OTHER US LOANS..........	23.0	344.5	0.0
EX-IM BANK LOANS.......	23.0	344.5	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	418.9
IBRD	0.0	0.0	0.0	417.7
IFC	0.0	0.0	0.0	0.9
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	0.0
OTHER-UN	0.0	0.0	0.0	0.3
EEC	0.0	0.0	0.0	0.0

BURMA

The Socialist Republic of the Union of Burma is a one-party, socialist state with its leadership drawn from a narrow elite within the military. The ruling Burma Socialist Program Party dominates the government structure, which it parallels, but is in turn subordinate to the highly personalized leadership of its chairman, U Ne Win (who was General Ne Win, commander of the army at the time of the 1962 coup).

Burma is ranked among the least-developed nations of the world. The Government has sought to build a centrally-planned, socialist economic system under a program known as the "Burmese Way to Socialism," an eclectic mixture of Burmese nationalism and Buddhist and socialist ideals. For many years, the Government pursued a rigid policy of economic self-sufficiency; a historical tradition of isolationism has contributed to political and cultural insularity as well. After approaching economic collapse in the early 1970's, the Government has over the past decade tempered its doctrinaire socialism with pragmatic economic measures, including greater recognition of the private sector and an infusion of foreign grant and loan capital.

Widespread insurgency and ethnic separatism are major problems. Dozens of different insurgent groups struggle with Government forces in remote and sparsely-populated areas; their access to modern arms and equipment and financing from foreign sources and through narcotics trafficking have prevented the central Government from decisively overcoming them.

Burma's army overthrew the elected civilian Government of Prime Minister U Nu in 1962, claiming that parliamentary democracy had failed to promote economic development and safeguard national unity. Opponents of the revolutionary Government and regional separatists were jailed, generally without trial. Most of the jailed persons were released in the 1960's and early 1970's, but it was not until 1978 that a gradual relaxation of Government restrictions led to a significant reduction in reports of human rights abuses. An amnesty order in 1980 resulted in the return to Burma of about 2,200 of the Government's opponents, including former Prime Minister U Nu. Another 15,000 people, including political prisoners, were released from Burmese prisons under the amnesty. Opposition political groups remain banned, and criticism of the Government is not tolerated.

The 1974 Constitution established the framework of Burma's one-party, socialist Government. By inference, all political activity outside the single party structure is banned. The Constitution defines the fundamental rights and duties of citizens and recognizes commonly accepted freedoms (thought, religion, press, speech, association, movement, due process) and a number of social rights, as well (health, education, worker rights, and sexual equality). These rights are conditioned, however, on the Government's assessment of their compatibility with state security, socialist objectives, national unity, and public peace and tranquility.

A 1975 anti-subversion law codified the wide discretionary powers of government security agencies. Several government organizations, sometimes competing, are charged with state security, including: the Inter-Ministerial National Intelligence Bureau; the Directorate of Defense Services Intelligence and its Military Intelligence Service detachments; the Bureau of Special Investigations, which reports to the Home Minister; and the People's Police Force with its various sub-groups also reporting to the Home Minister. Additionally, each local people's council has an independent security committee with block and neighborhood wardens in cities and towns. There is a wide divergence between the handling of common criminal cases and cases involving national security or political opposition. Normal judicial procedures and constitutional guarantees are not always observed in political/security cases.

Burma inherited from the colonial period a large, mostly non-indigenous population from the Indian subcontinent and China. Although thousands of non-Burmese residents left voluntarily or involuntarily in the first year after the coup, several hundred thousand descendents of these immigrants remain in Burma, some with Burmese citizenship, some with legal resident alien status, and many without documentation of any kind.

In this connection, the most significant development during the year was the passage of a new Burmese citizenship law by the National Assembly (Pyithu Hluttaw) on October 15, 1982, which could affect the status of long-time residents of Burma of mixed ancestry. The new law sets up a three-tier system of citizenship: full citizens (ethnic Burmese as defined by the law); associate citizens (non-Burmese ethnics who have previously applied for citizenship); and naturalized citizens. There is some concern in the non-Burmese community that the different categories of citizenship could be used to circumscribe some of their existing rights and privileges.

Apart from the new citizenship law, there was neither significant improvement nor deterioration in the overall level of reported human rights abuses during 1982. Political opposition remained banned and members of outlawed political parties, particularly communists, were subject to arrest. The practice continued of barring individuals of non-Burmese ancestry (primarily Indian and Chinese) from high office in the Government and the Party. In contested areas there were recurrent reports of human rights abuses by all participants in the fighting. In September, one insurgent group launched a terrorist attack in Rangoon, killing and wounding several police and civilians. As a consequence, several hundred suspects were detained, but most were released after questioning. Burmese Government policy continues to be directed at preventing the entry, asylum, transit, or resettlement of non-nationals. It does not recognize the existence of "refugees," and any such claimants are subject to arrest and deportation as illegal immigrants. The Government also continues to enforce the decisions of Buddhist ecclesiastical courts against unorthodox monks and sects.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no reports or allegations in recent years that Government security forces have been involved in killing for political or any other motives constituting human rights violations. Summary executions are not allowed under the Burmese judicial system. In contested areas, there are frequent and credible reports of noncombatant deaths. Occasionally, insurgent groups have purposely camped in the midst of villages in order to use noncombatant civilians as a shield against attack. There were also reports that certain of the various insurgent groups have carried out summary executions of prisoners, opponents, and suspected informers. Other insurgent groups have resorted to terrorist attacks, such as bombings, train derailments, and assassinations. On September 28, 1982, a small group of Karen National Union insurgents atttacked the Rangoon headquarters of the Burma Broadcasting System and a neighboring police station. A number of policemen and civilians were killed and wounded, including women and children. It is not possible to estimate the number or frequency of such noncombatant killings countrywide.

b. Disappearance

The Government exercises broad powers of detention under a 1975 anti-subversion law, but there were no reports or allegations over the past year of people being abducted, secretly arrested, or held in clandestine detention by police or other security forces or by elements whose activities were condoned by the Government. There is no attempt to hide common criminal or political/security arrests from family members, friends, or employers, although details about the charges may not be revealed. In contested areas along Burma's borders, some insurgent groups have resorted to abduction and execution as a political weapon or to coerce local inhabitants into cooperation.

c. Torture

Persistent reports suggest that the police and other security forces of the Government have used and continue to use physical and psychological coercion, including torture, during investigations in order to obtain confessions or other information. These reports involve both common criminal and political/security cases. There have been no allegations of similar mistreatment in regular prison facilities. There are credible reports that some insurgent groups employ death threats, beatings, and other forms of mental and physical coercion against opponents or villagers who resist them in areas where they operate.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The 1974 Constitution provides that punishment shall not be in violation of human dignity. Except for the reported mistreatment during interrogation mentioned above, there is no evidence of any intentional pattern of cruel, inhuman, or degrading treatment or punishment. Corporal punishment is not an element of the Burmese judicial system. Prison conditions are poor as a consequence of the generally low standard of living, overcrowding, low government expenditures, and limited staff. In addition to regular prisons, the Government operates a system of work camps to which convicts are assigned for manual labor, including road building and quarry work. Convicts with good records are allowed temporary paroles to make short visits home from these camps. A large rehabilitation camp for hardcore drug addicts was opened in August 1982.

There is no indication of differential treatment by social class, race, sex, or religion in Burmese prisons and work camps. Women have separate facilities. Gifts and bribes to prison personnel reportedly can buy preferential treatment. Political/security prisoners are incarcerated in regular prisons but usually enjoy better facilities and diet than ordinary criminals.

e. Arbitrary Arrest and Imprisonment

No habeas corpus protection exists in Burma, and the 1975 anti-subversion law permits indefinite detention. Practice varies according to type of offense. In common criminal cases, police may detain suspects up to 24 hours, after which a court order must be sought from competent judicial authorities at the local, state, or national level. These court orders, which are renewable, authorize continued detention for 14-day periods until charges are formally brought before a court. This system does not apply to political/security cases for which the period of detention has no legal limit.

The Government neither acknowledges holding political prisoners nor considers itself compelled to justify detention or imprisonment of anyone. The exact number of political prisoners is unknown, but it is believed to be very low as the result of the 1980 amnesty. In the wake of the September 28 terrorist attack in Rangoon, security forces detained several hundred suspects, but most were released after questioning. In contested areas insurgent groups are not bound to any generally accepted principles regarding arbitrary arrest and imprisonment.

Refugee status is not recognized by the Burmese Government, and refugees and other stateless persons are regarded as illegal immigrants subject to arrest. If they cannot be repatriated after serving sentences for illegal entry, they may be detained in prison indefinitely. The Burmese Government is thought to have under detention several hundred "illegal immigrants" from a number of Asian countries. Some of these persons reportedly entered Burma without papers in hope of transit resettlement. Among the more than 500 detainees of Chinese origin, the largest group under detention, some fled China during the Cultural Revolution and have been held for more than a decade. Others are ethnic Chinese who fled from Vietnam during the period of persecution of Chinese in the late 1970's.
A handful of these detainees have been repatriated voluntarily.

f. Denial of Fair Public Trial

Justice is administered by a system of "people's courts" called Judges' Committees. Members of these committees are elected by popular vote from a single slate of candidates chosen by the Party. Most of the judges are lay persons, untrained in law, who are advised by professional legal officers. Almost all judges are Party members, and a large number are military officers, either retired or on active duty. There have been credible allegations that the Government has influenced the judgement and sentences in certain court cases.

The 1974 Constitution provides for public trials in most cases, and this practice is followed when common criminal offenses are involved. In political/security cases, special judiciary committees may be named by the Council of State. The membership of these special judiciary committees is often the same as that of the equivalent state-level Judges' Committee, but trials are closed to the public and often held in camera. Crimes involving military personnel may be assigned to regular or to military courts. Civilians, even those charged with security offenses, are not tried by court martial.

In both common criminal and political/security cases, the burden of proof is on the prosecution, and the accused has the right to counsel. Legal counsel is provided for indigent defendants if they are faced with a possible sentence of seven years or more. In normal practice, defendants may consult freely and privately with their lawyers. Defendants and defense lawyers are aware of the charges and evidence against them and are permitted to submit their own evidence. Court decisions are not determined solely by the codified law, but are also affected by Burmese concepts of community harmony and fair play, as well as by Burmese socialist concepts.
The verdicts of civil, security, and military courts may be appealed to the next higher court up to the Council of State, Burma's highest executive organ.

Insuffícent information prevents an assessment of judicial practices among insurgent groups in contested areas, but some drug-trafficking insurgent groups reportedly practice summary executions on a wide scale.

g. Invasion of the Home

The privacy and security of the home are guaranteed in the 1974 Constitution. In common criminal cases, police officials must have a valid search warrant or be accompanied by a member of the local "people's council" at the time of search. Search warrants are issued by local or state Judges' Committees, depending on the nature of the offense. In political/security cases, security forces are not subject to these judicial procedures and usually enter homes without obtaining warrants. It is widely assumed that surveillance devices are sometimes attached to telephones. In contested areas, forced entry and warrantless searches are carried out by government security forces and insurgent groups alike.

2. Respect of Civil and Political Rights, Including:

a. Freedom of Speech and Press

Although freedom of speech, expression, and publication are guaranteed by the 1974 Constitution, the Constitution also stipulates that the exercise of such freedoms should not be "contrary to the interests of the working people and socialism." In practice, opposition viewpoints and criticism of the Government are not tolerated. The Party's structure provides a limited opportunity for ordinary citizens to express themselves, particularly about economic problems or bureaucratic failures, but overly-outspoken party members may be disciplined or expelled. Anyone criticizing the Government's leadership in public or private is subject to arrest. A well-developed system of neighborhood informers reports to local "people's councils," and it is generally believed that security personnel do not respect the privacy of correspondence.

All mass media in Burma are Government-owned-and-operated, including television, radio, and the six national newspapers. Newspaper editors are appointed by the Ministry of Information and are responsible for the content of daily editions; editorials must be approved in advance of publication. Journalists are subject to strict guidelines as to what may be broadcast or published, especially regarding political matters. Criticism of government officials (regardless of rank) is not permitted, although cartoons and opinion editorials will sometimes criticize local administration indirectly. All forms of communications -- domestic and imported books and periodicals, stage plays, motion pictures, and musical recordings -- are subject to government control. The Government strengthened its control over literature published in Burma with the founding of a nationwide literary workers' organization in 1980.

Government interference in academic inquiry in the social sciences is widespread. All research proposals by foreign scholars must be approved. The extreme difficulty of obtaining scholarly publications from abroad or of communicating with foreign scholars seriously impedes academic research in all areas.

b. Freedom of Peaceful Assembly and Association

The 1974 Constitution guarantees the right of assembly and association, but only in those organizations permitted by law. As a result, these rights are recognized only within the framework of the Burma Socialist Program Party. Popular participation is a major theme of Burmese socialism; party units and mass organizations for workers, peasants, and youth have been established at every administrative level. While these organizations offer a certain opportunity for political expression, they serve primarily as vehicles for communicating national policies and implementing government programs. Outside the Party framework, opposition political groups are banned and their members are subject to arrest; several arrests of Burma Communist Party members were reported during the year. Certain nonpolitical secular organizations, such as professional associations of doctors and lawyers, are not under direct government or party control.

There is no independent labor movement in Burma. Workers do not have the right to organize independently, negotiate, or strike. The labor force is organized into government-and-party-controlled workers' and peasants' mass organizations. Membership in the workers' organizations comprises about 30 percent of the non-agricultural labor force; over 87 percent of the agricultural work force has joined peasants' organizations. These organizations are active in seeing that those rights and privileges granted to workers under Burmese law are respected. Since the mid-seventies, local units have enjoyed some freedom in electing their own leaders. Usually, however, the leaders are Party officials. The national leadership is made up entirely of ranking party and government officials. For example, the workers' organization national chairman is also the Minister for Social Welfare and Labor and the chairman of the peasants' organization is the Minister for Agriculture and Forests; both are members of the Party's Central Committee. There were no attempts over the past year to establish independent free labor unions. At the International Labor Organization (ILO) General Conference in June 1982, Burma was one of several countries criticized for failure to apply the ILO convention concerning freedom of association.

c. Freedom of Religion

Burma is a secular state. Freedom of religion, guaranteed in the 1974 Constitution, is widely observed in Burma, a largely Buddhist country with sizeable Christian, Muslim, and animist minorities. There are no legal impediments to religious conversion. Beginning in 1980, the Government has sought to strengthen its links with and control over the Buddhist monkhood. The Government appointed a National Buddhist Council empowered to regulate the monkhood; it instituted regulations requiring certification of monks by religious superiors and the Government; and it also issued identification and residence cards to monks, all of which permit the Government to enforce residence and movement controls similar to those imposed on the rest of the population.

In 1981, the National Buddhist Council, with government encouragement, began to carry out a "purification" of the Buddhist clergy. Under this program several hundred monks have been excommunicated on charges of personal misconduct in violation of Buddhist religious canons. Buddhist ecclesiastical courts have also banned the activities and doctrines of Buddhist sects judged to be heretical; the Government's Ministry of Home and Religious Affairs is empowered by a 1980 law to enforce these bans. Excommunication continued during the last year, and another Buddhist sect was banned in February 1982.

Religious minorities are free to practice their religions in Burma, but the Government discourages close ties between Burmese congregations and international religious bodies. There are virtually no foreign missionaries in the country, and visiting religious leaders may not address local congregations in public assembly.

d. Freedom of Movement, Within the Country, Foreign Travel, Emigration, and Repatriation

The 1974 Constitution guarantees the right of Burmese citizens to live anywhere within Burma; exceptions apply to areas of insurgent or military activity. Residence by non-citizens is restricted. Both citizens and non-citizens are subject to travel restrictions and controls and must obtain permission to travel or to stay outside the township of their residence. In practice, however, Burmese citizens with valid identity cards can travel throughout the country without specific permission, except in contested or border areas.

Foreign travel is difficult, except for official purposes. Over the last several years, lengthy bureaucratic and legal requirements for permission to travel abroad have been slightly streamlined, but remain extremely cumbersome. Less than half the passport applications for foreign travel are said to be approved by the Passport Board of the Ministry of Home and Religious Affairs. The Passport Board does not consider itself obliged to explain its decisions, but there are several well-known cases of passport refusal based on political grounds. Private citizens must often reimburse the Government for their university and professional education and pay income taxes in advance before traveling abroad; these fees are refundable when the citizens return to Burma, but only after great delays. Some people of non-Burmese ancestry (for example, Indians or Chinese), although born and living in Burma, are considered foreign nationals and must acquire foreign travel documents to travel abroad. Undocumented resident aliens who cannot obtain official documentation from another country are not able to travel abroad or to emigrate, as Burma does not normally recognize stateless documentation for exit purposes.

While the policy is not formally enunciated, emigration is restricted in practice because of the Burmese Government's concerns about security and an economic "brain drain." Bureaucratic procedures and legal requirements are lengthy, and the right to emigrate may be denied. In addition to reimbursing the Government for their education, prospective emigrants who have completed certain government-financed advanced professional studies must put in a number of years of government service. As a consequence of the Government's restrictive emigration policies, a number of Burmese nationals over the years have chosen to leave Burma illegally and without travel documentation. There are no reports of government revocation of citizenship. The Burmese Government does not recognize dual nationality; citizens who adopt another nationality in effect lose Burmese citizenship.

For many years, government policies virtually prohibited the return of Burma-born emigres. The 1980 amnesty permitted exiles living abroad to return to Burma and a number of prominent former politicians and some former insurgents took advantage of the offer. Today, Burma-born emigres who left the country legally are usually allowed to return to visit relatives, although there may be long delays in obtaining entry visas. Emigres wishing to return permanently are required to apply again for Burmese citizenship. In general, except under an amnesty as in 1980, emigres who leave the country illegally cannot return under any circumstances.

Burma has not permitted foreign refugees to resettle or seek safehaven within Burma. The Government treats persons claiming to be refugees as illegal immigrants subject to arrest, deportation, or both. In the late 1970's, the Burmese Government moved forcefully against what it regarded as illegal immigrants, mostly Bangladeshis, who had settled in the Arakan state. More than 150,000 South Asian Muslims crossed the border from Burma into Bangladesh. Negotiations between the Burmese and Bangladeshi Governments resolved the dispute and about one-third of the group was repatriated to Burma and resettled under UN High Commissioner for Refugees auspices. Today there appears to be no significant outflow of refugees from Burma. Some Burmese Muslims of Malay ancestry have settled in northern Malaysia, but their primary motive for leaving Burma appears to be the search for a better economic life.

e. Freedom to Participate in the Political Process

The Government of Burma is an authoritarian, one-party system whose leadership is drawn from a small elite within the military officer corps. All government institutions and other organizations in Burma are subordinate to the guidance of the ruling Burma Socialist Program Party. The party's Central Committee outranks all government bodies and gives direction on new legislation. The party in turn conforms to the highly personalized leadership of Party Chairman U Ne Win, who has ruled and guided the formulation and execution of national policy for the last two decades. Political opposition is not tolerated.

Opposition political parties are illegal and the single Party functions to mobilize popular support behind party decisions rather than as a vehicle to express individual or group opinions. Membership in the Party is open to all adult citizens who meet candidacy requirements; about seven percent of the adult population are full Party members. Party membership is virtually a prerequisite for many government jobs. Party and government elections are held every four years. The Party chooses the single slate of candidates for government offices and seldom nominates candidates who are not Party members. Within this framework, elections are by universal suffrage in which secrecy of the ballot is protected, and the Party's candidates are occasionally rejected. In Burma's Party and Government decision-making assemblies, divided votes are rare.

The Party seeks to expand the participation of Burmese ethnic minorities in the Party and in the Government. Women are under-represented in politics and at senior levels of government, reflecting in part the military background of most of Burma's present leaders.

Persons with a significant proportion of non-Burmese ancestry (in practice, Chinese or Indian) are barred from higher Party and Government offices and are asked to resign if their mixed ancestry is discovered. In 1982, as many as four members of the national assembly (Pyithu Hluttaw) were forced to resign because of their reportedly mixed parentage. Ranking Party members, including an executive committee member and the secretary of a permanent committee, also resigned for similar reasons during the year. The national bodies of workers' and peasants' organizations adopted by-laws in late 1981 that effectively deny leadership positions to members of mixed ancestry.

The hundreds of thousands of non-citizen residents of Burma are primarily of Chinese or Indian origin. Even if registered as legal alien residents, they are not eligible to attend graduate and professional schools, to join consumer cooperatives, or to take certain categories of employment. As described above, the freedom of movement, travel, and emigration of these alien residents are also restricted. If undocumented, they are also liable to arbitrary arrest.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Burma does not actively participate in international and regional human rights bodies. In the past, the Burmese Government has not responded directly to the rare foreign commentary on alleged human rights violations. In 1981, Burmese officials avoided meeting with a representative of a non-governmental human rights organization who sought to discuss ethnic Chinese detainees. A UN High Commissioner for Refugees (UNHCR) representative visited Burma during 1982 in connection with UNHCR assistance to refugees repatriated from Bangladesh.

No Burmese organization, governmental or private, monitors the human rights situation in Burma. Amnesty International's report covering 1981 refers to reports of arrests and ill-treatment of members of the ethnic minorities. Freedom House, in its report for 1982, classified Burma as "Not Free."

4. Economic, Social, and Cultural Situation

Burma remains one of the poorest nations in the world in terms of per capita income, which last year reached $180. Burma is rich in natural resources, however, and has attained near self-sufficiency in food and energy. Relative to its resource base and potential, Burma's population of 34,883,000 (1981) is low compared with other countries in the region. Population growth estimates range from 2.2 to 2.5 percent.

Economic progress has been hindered by the extensive destruction of basic facilities during World War II, widespread insurgency, rigid bureaucratic structures, and government economic policies, particularly after 1962, which discouraged capital formation. During the first decade of U Ne Win's socialist Government, Burma's economy almost collapsed, reaching its nadir in the early 1970's when the increase in gross domestic product (GDP) fell to less than two percent and could not keep pace with population growth. Since 1972, limited changes in government economic policy, successful implementation of high-yield variety programs in the agricultural sector, and a major infusion of foreign grant and loan capital have contributed to better economic performance. Over the last four years, Burma's GDP rose 6.8 percent a year and reached 7.7 percent last year. Paddy production, which is the source of 40 percent of Burma's foreign exchange earnings, climbed at an annual rate of nine percent during the same period.

The Burmese Government's egalitarian approach to development has assured access by a majority of the population to basic economic requirements. For the last several years, when the GDP has been growing by 6.8 percent annually, inflation has been held to an average of less than three percent. These years have also seen a marked increase in the income level of most urban and rural households.

Many shortcomings remain. Minority peoples in remote and often contested hill areas continue to live at the subsistance level. Only 17 percent of the population has access to safe drinking water. Inflation rates, while low, do not reflect the acute shortage of many products, nor the unofficial blackmarket prices which are often double official prices. Rising food prices have probably caused the real incomes of the poorest urban families to hold steady, or even to decline. Although not officially acknowledged, Burma was estimated to have 586,000 unemployed in 1981, and underemployment is also high. Construction in urban areas has not kept pace with population growth, and there is a shortage of housing in the major population centers.

According to the latest statistics available (1977), Burma produced or imported 106 percent of its caloric nutritional requirements. While food is generally available, it is expensive, averaging as much as 70 percent of the income of urban and rural families, according to some reports. Protein calorie malnutrition is a serious problem among young children and expectant mothers, largely as the result of poor dietary habits.

The Government has made a major effort to expand medical facilities and treatment. Basic health care facilities are available throughout the country, and graduates of medical institutes enter the government health service directly for assignment in both rural and urban areas. In 1981, Burma had one doctor for every 4,656 persons, compared with one for every 15,560 persons in 1960. The health sector has received a relatively low place in government fiscal priorities, however, and hospitals are crowded, unsanitary, and lacking in equipment and drugs. As a consequence, there is active blackmarket trading in pharmaceuticals. In 1980, life expectancy at birth was 53.7 years; the infant mortality rate was 100.7 per 1,000 live births.

The Burmese Government has improved access to education at all levels, and equality of educational opportunity exists throughout the country, except in those areas the Government does not control. Education in Burma is free through the university level, but access to higher education beyond the tenth standard (grade) is controlled by a system of examinations. In 1977, primary school enrollment stood at 84 percent of school-age children -- up 58 percent from 1963. According to official sources, Burma had a literacy rate of 67 percent in 1975. Literacy figures varied among states and divisions and between men (79 percent) and women (57 percent).

Except for the limitations on the rights of resident aliens mentioned earlier, the Government does not sanction discrimination based on race, religion, or sex. By law and tradition, Burmese women may own land, obtain higher educations, enter the professions, and engage in business on the same basis as men. The 1974 Constitution specifically grants women equal political, economic, social, and cultural rights. Burmese women retain their own names after marriage and control their dowries throughout their marriages or in the event of divorce.

The right to own private property alone or in association with others is recognized by the Constitution and respected in practice; the state retains residual rights to the disposition of land. The Government has allocated some of the prime agricultural land to state-supported cooperatives for collective production and marketing. Burma's land reform program in the countryside has made progress since 1965 toward eliminating rural tenancy, but, according to one report, up to one-quarter of the rural population may still be landless.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: BURMA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	6.8	7.6	13.6
LOANS...............	0.0	0.0	0.0
GRANTS..............	6.8	7.6	13.6
A.AID	2.0	3.0	7.6
LOANS...............	0.0	0.0	0.0
GRANTS..............	2.0	3.0	7.6
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.2	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.2	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.2	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.2	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	4.6	4.6	6.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	4.6	4.6	6.0
PEACE CORPS.......	0.0	0.0	0.0
NARCOTICS.........	4.6	4.6	6.0
OTHER.............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.2
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.2
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.2
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	6.8	7.6	13.8
LOANS...............	0.0	0.0	0.0
GRANTS..............	6.8	7.6	13.8
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	172.8	86.2	106.7	949.5
IBRD	0.0	0.0	0.0	33.1
IFC	0.0	0.0	0.0	0.0
IDA	125.0	0.0	0.0	362.1
IDB	0.0	0.0	0.0	0.0
ADB	40.7	71.0	79.7	425.3
AFDB	0.0	0.0	0.0	0.0
UNDP	7.1	8.7	0.0	55.3
OTHER-UN	0.0	6.5	27.0	72.7
EEC	0.0	0.0	0.0	0.0

CHINA

China's government is controlled by elements of the Communist Party, which is the source of all political authority and decision-making in the country. China has a long tradition of authoritarian rule and reliance on laws only to discipline unruly elements. Chinese emperors in successive dynasties, lasting until 1911, ruled by fiat, but their decisions were moderated by Confucian principles. Moreover, central control was often weak and did not extend to the local level, which was dominated by the landed gentry.

The Chinese Communist Party, founded in 1921, has combined Chinese tradition with Leninist principles and methods of well-disciplined political organization and party control over the political, economic, and social life of the country. In practice, however, Mao Zedong's dominance of the party for most of the period from the Long March of the mid-1930's until his death in 1976 often departed from these principles and disrupted the political process.

During the Cultural Revolution period (1966-76), a breakdown of central authority and the dispersion of political power to a number of groups not earlier involved in politics were accompanied by a major intensification of human rights violations. Millions of people were victimized by or enlisted in sometimes violent political campaigns, as the "class struggle" advocated by Chairman Mao was vividly enacted. As central control was reasserted, actual administrative responsibility was borne for a time by the Chinese military. China, however, remains unusual among communist countries in the degree of political involvement by groups and individuals outside the core of the party leadership. At the same time, notwithstanding the existence of several small non-communist parties which have little influence, any alternative to one-party communist rule has been rigidly excluded throughout the period since 1949.

Since 1976, the Chinese system has been in a period of transition and experimentation. The political authorities are moving away from many aspects of the Soviet model that previously guided their political and economic decisions. They are beginning to institute a functioning legal system, though the degree of independence it will be afforded remains to be seen.

Within the Communist Party, power is divided among a group of top leaders in several key organizations, including the Political Bureau and its Standing Committee, the Secretariat, and the Military Commission. Despite his semi-retirement, Deng Xiaoping remains China's most influential policy-maker. China's leaders continue to justify their policies in terms of Marxist-Leninist ideology and the writings of Mao Zedong, but are careful to note that doctrine must be adapted to Chinese realities and that ideological tenets must be applied in the light of current conditions. This more pragmatic attitude has, in recent years, resulted in more flexible economic policies in both industry and agriculture aimed at rewarding individual initiative, while preserving the basic framework of a controlled economy, including common ownership of land and factories.

Since Mao's death, the attention of the Chinese government has focused primarily on economic development and the restoration of political and social order. In an attempt to deal with the pervasive apathy and cynicism toward the Communist Party after the chaos of the Cultural Revolution, China has begun to develop institutions which the Government states are designed to allow broader participation in the political process, and which the Communist Party also hopes will mobilize popular support and enthusiasm for its reform program. These institutions include the National People's Congress, the Chinese People's Political Consultative Conference, and workers' congresses. Under the new state Constitution, the Congress's power to supervise other branches of the Government was strengthened at least in a formal sense. The Constitution envisions multiple candidate local elections, and experiments have already begun. The practical effect of these developments is not yet known.

China's contacts with the outside have increased considerably in recent years, with tens of thousands of Chinese traveling abroad to study, conduct business, or visit relatives, while even greater numbers of foreigners have visited China. Emigration controls have also loosened significantly. Chinese can and do listen to the Voice of America and other foreign radio broadcasts. Cultural life, while still heavily regulated by the party, has become somewhat more lively and features some types of entertainment that are devoid of political content.

While hundreds of churches, mosques, and temples have opened their doors for the first time since the early sixties, believers are excluded from the Communist Party and must exercise restraint in propagating their faith and in their contacts with foreign religious organizations. Much of the activity of these official religious organs is aimed at regaining central control over local informal religious groups, such as house churches, that have proliferated since the mid-1970's.

Per capita income reached record levels in 1981 to stand at $230. Economic development strategy has turned to favor production of farm products and consumer products, both of which are now far more readily available than three or four years ago. Party leaders at the highest level recently have urged improvement in the living and working conditions of intellectuals, who were victims of past discrimination but whose talents are essential if China is to develop.

Though the overall trend has been generally towards a more open society, the political structure has continued to impose significant restrictions on individual rights and freedom. The regime does not tolerate fundamental criticism of the Communist Party and the socialist system and tends to deal harshly with those who voice such criticism. Contacts with foreigners are subject to monitoring by an extensive formal and informal security network; Chinese not related to foreigners and whose occupation does not require such contacts may be warned or, in extreme cases, arrested if they persist in such contacts. Writers have been assured that exaggerated government criticisms of the past would not be repeated. At least one prominent writer criticized in 1981 for anti-government writing has continued to publish after making a self-criticism. Nevertheless, artists and writers must be cautious in criticizing flaws in the regime and the socialist system so as not to suggest that these are the by-product of socialism or the party leadership.

During 1979, 1980, and 1981, Chinese authorities conducted extensive and effective campaigns against unauthorized publications, including wall posters, and arrested scores of dissidents involved in their promulgation. One person, Wei Jingsheng, was given a highly publicized -- though not public -- trial, an event that evoked some domestic support for Wei, who was sentenced to 15 years in prison. Since that event, authorities have promulgated "labor education" regulations which permitted dissidents to be sentenced to labor camps without benefit of a trial. The fact that these anti-dissent campaigns were not repeated in 1982 can be attributed not to a softening of official attitudes, but to the effectiveness of the 1979-81 drives, which largely succeeded in silencing the small dissident movement (whose active adherents probably numbered several hundred). In addition to removing these persons from the political scene, these campaigns dried up important unofficial sources of information about human rights conditions.

China's human rights record in 1982 had ups and downs within a longer-term positive trend since 1976. In general, there remains gradual movement towards a more open society, coupled with continuing harsh controls on fundamental dissent. In the latter area, perhaps the most noteworthy event of the year was one that did not happen: there was continued official silence about the disposition of the scores of dissidents and others -- including Catholic clergymen arrested in Shanghai in November 1981 -- who were detained in the preceding three years. In 1982, Chinese authorities continued to monitor carefully their citizens' contacts with foreigners. In June, an American teacher in Beijing and her Chinese fiance were arrested. The teacher was charged with illicit activities designed to procure classified documents and expelled from China. Her fiance apparently remains incarcerated. There were also reports from several universities that Chinese students and faculty members who had what authorities deemed too much contact with foreign teachers were given warnings.

Despite the trend towards loosening controls on foreign travel by Chinese citizens, regulations promulgated in 1982 make it more difficult for some university students to study abroad. New rules prohibit students from accepting private sponsorship (except from relatives) for their studies abroad and require them to work in China for at least two years after graduation before applying to go abroad.

In one area, China moved to facilitate Chinese-foreign contacts. Regulations requiring all foreigners to obtain permits in advance in order to travel to any city or district in China were relaxed in October 1982. Foreign visitors with a Chinese visa may now travel by air or rail, without further formalities, to 29 major cities and tourist spots.

In 1982, China mounted a campaign against economic crime and passed regulations allowing for swifter and more severe punishment of those convicted of smuggling, bribery, and such offenses. In January 1983, a local party official was executed for embezzlement and bribe-taking as part of this campaign. Similar regulations passed in 1981, applying to other types of serious crimes, were carried out in several cases in 1982. In one instance, five armed men who attempted to hijack a domestic airliner were tried, sentenced to death, and executed within five weeks of the incident.

China made progress in 1982 in reestablishing a formal legal system which had been abandoned during the Cultural Revolution. A new state Constitution, which is the fourth since 1949, provides for a formal structure in which political power is dispersed and contains provisions to protect the right of the individual to protest arbitrary official action. A new Communist Party constitution promulgated in 1982 also contains provisions designed to prevent over-concentration of power and emphasizes intra-party "democracy." Again, whether these measures will have a significant practical effect cannot now be determined, given that both constitutions continue to emphasize the primacy of the Communist Party. Personnel shakeups in 1982 effectively continued the earlier trend of separating formerly overlapping party and government functions, apparently to give government officials clearer authority to deal with the problems of policy implementation, while the Communist Party continues to formulate basic policy.

In other legal developments, the first civil procedure law in the history of the People's Republic of China (PRC) was promulgated for provisional use in 1982, filling a major gap in the legal system. The Government announced that over 300 laws and regulations, most of them in the economic area, have been implemented since 1979, when the drive to establish a functioning legal system began. The use of mediation committees -- informal groups of laymen who resolve about 90 percent of China's civil disputes and some minor criminal cases, at no cost to the parties -- continued to expand in 1982. There are over 800,000 such committees, in both rural and urban areas.

China's new economic policies allow individuals to have more voice in what they produce and in the quantity of output. In 1982, the Government announced that 90 percent of China's rural production teams (the basic unit in the commune) had adopted "responsibility systems" which allow individuals or groups to make their own production decisions once state quotas are met. Free markets, where goods outside the quota system may be sold at market prices, are a common feature throughout China.

In 1982, in keeping with the "united front" policy aimed at boosting friendly relations between China and Chinese who live overseas, the Government announced that it had released several hundred Kuomintang prisoners, all of those still incarcerated following the civil war in the 1940's.

The long-term trend of human rights in China for the foreseeable future will depend on the political situation. If China's leaders stick to their present course, emphasizing economic development -- including the policy of opening to the outside -- there are reasonable prospects for a continued relaxation of controls in some areas, although the ban on fundamental political dissent will continue and any threat to the preeminence of the Communist Party will not be tolerated.

1. Respect for the Integrity of the Person, Including Freedom from:

   a. Killing

There have been no allegations of political killings in China in the recent past, though many were killed or died as a result of violent political struggle during the Cultural Revolution. At present, two members of China's "Gang of Four" (deposed leaders who were prominent during the Cultural Revolution) are under sentence of death, which -- unless commuted -- would be carried out in January 1983. Although the trials appeared to be highly political, Chinese authorities assert that these and others sentenced for Cultural Revolution-era activities were convicted of specific crimes, such as murder and treason, and not for errors of political judgment.

b. Disappearance

There is little information available on the whereabouts of those dissidents arrested in the 1979-81 period. The Government has actively sought to rehabilitate many victims of the Cultural Revolution, but the whereabouts and fate of some remain unknown.

c. Torture

In the aftermath of the fall of the so-called Gang of Four in 1976, it was revealed that the use of torture to extort confessions had been common during the Cultural Revolution (1966-1976), and a government report stated that 10,000 persons were prosecuted in 1980 for violations of citizens rights, including torture, occurring in 1979 and 1980. Official law and regulations now forbid the use of torture. Whether torture has in fact been eliminated is unclear, but there were no reports of torture reaching the US Government in 1982.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Chinese authorities continued in 1982 an anti-crime drive begun in 1981, emphasizing the need for prompt and severe punishment for those convicted of particularly heinous crimes of violence. In certain cases, after defendants were convicted, a separate "sentencing meeting" was held, attended by thousands of people. The principal purpose of such meetings was to make a public example of the defendant, since sentence had been passed at the trial. The accused would be publicly denounced, and his death sentence revealed. The defendant would then be led out of the rally and executed forthwith; pictures of the entire proceedings sometimes appeared in public court notices announcing the disposition of the case. Since information on such sentencing meetings is not regularly and systematically published by the Chinese, it is impossible to estimate how many might occur each year. On the basis of sketchy information, the approximate order of magnitude was probably around a few hundred.

Current information about conditions in penal institutions is sparse. Inmates are expected to work, and penal authorities have indicated that the value of their labor is sufficient to pay the expenses of their incarceration. In a Beijing prison visited with official sanction by foreigners, inmates live in a crowded but sanitary environment. In penal labor camps, some located in remote areas of China, conditions probably vary widely, and there have been reports of beatings in some camps, and restrictions on letters and family visits. In 1981, China passed regulations allowing authorities to cancel urban residency permits for recidivists and those who escape from prison. Such persons, when their prison terms are over, may have no realistic alternative to remaining in the prison area as contract laborers.

The number of prisoners now held in labor camps is unknown, and estimates in the past varied considerably, including some ranging upwards of 100,000. It appears that the number has diminished significantly in recent years, due both to the "reversals of verdicts" of thousands of prisoners sentenced during the Cultural Revolution and earlier, and to natural attrition.

e. Arbitrary Arrest or Imprisonment

Chinese law provides that a detained person should be released, on the request of himself or his family, if the police have not followed proper arrest procedures. In practice, however, this proviso apparently is rarely, if ever, invoked. There is no provision for preventive detention. A suspect can be held for up to two months before being charged with a crime, though this period may be extended with the approval of higher authorities.

Under "labor education" regulations, those who commit "minor theft or fraud" or who have been expelled from their work units may be sentenced without trial for up to four years of labor. This regulation has been used with some frequency against political dissidents. Sentences are handed down by a public security unit, in consultation with representatives of local civil affairs and labor offices.

f. Denial of Fair Public Trial

Criminal defendants in China have the right to counsel, and it is provided at little or no cost. Normally, however, the defense attorney enters the case only after the prosecutor has completed his investigation and the defendant has been indicted. In practice, Chinese trials resemble sentencing hearings, where defense representatives plead for clemency for their clients, whose guilt, with very few exceptions, is not contested. The trials are preceded by extensive pretrial investigation, and it is assumed that any individual who is brought to trial is considered to be guilty. Chinese authorities have indicated that the conviction rate of those tried for criminal offenses is about 98 percent.

Defendants in criminal cases may appeal both verdicts and sentences to the next higher level courts, normally the provincial high court. In the few cases where results have been publicized, appeals have sometimes resulted in reduced sentences for the accused.

There are no standing special political or security courts, though a special court was created to handle the "Gang of Four" trial. Although in theory China's courts are independent of party influence, in practice the party undoubtedly stage-manages trials having political significance, such as the "Gang of Four" trial and follow-up trials involving "gang" supporters.

The criminal procedure code requires that all trials be held in public, except those involving state secrets, juveniles, and "personal secrets." In practice, attendance at public trials requires an admission ticket, obtained from organizations selected by the authorities.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and the Press

The Constitution guarantees freedom of speech and the press, but in practice open criticism of Communist Party rule and the socialist system is not permitted. The 1979-81 suppression of unofficial publications succeeded in virtually eliminating the publication of dissident views. Many of the authorized periodicals and newspapers are published by the Communist Party, and all others, as well as radio and television broadcasts, are under tight party control.

In this context, open criticism of improper policy implementation by government and party officials -- usually low or middle ranking -- is permitted and practiced by many newspapers. It is assumed that this criticism is controlled and used by the party for its own objectives. "Letters to the Editor" columns are popular features; such letters are often inspired by the party to trigger investigations of alleged injustices. In 1982, the highest ranking figure criticized in the national press was a Vice Minister of Chemical Industries, alleged to have been involved in a bribery scheme.

Access to foreign books and artistic works is sharply limited by the authorities. Foreigners living in China receive materials from abroad uncensored or can purchase them locally with foreign exchange. Foreign periodicals and magazines are available to selected Chinese citizens, primarily in universities. Millions of Chinese read the "Reference News," an officially-controlled selection of translations from the foreign press, subject to censorship.

Foreign journalists resident in China have on occasion been criticized by the authorities for their coverage of sensitive topics, such as the manuscript attributed to dissident Liu Qing in 1981.

b. Freedom of Peaceful Assembly and Association

The Constitution guarantees the rights of assembly and association, but in practice these rights are severely circumscribed. Although contacts between Chinese and foreigners in China have increased considerably in the past four years, the authorities closely scrutinize such associations.

The labor union structure is controlled by the Communist Party. The All China Federation of Trade Unions enrolls about half of the urban workforce. The primary function of unions is to foster labor discipline and enhance productivity. Unions do not engage in collective bargaining, and almost never exercise their constitutional right to strike -- a right specifically mentioned in the previous constitution but deleted in the new one. Unions also perform a variety of social and welfare functions.

Worker congresses have now been established in many enterprises. All candidates to these congresses require party approval. These representative bodies in some cases have the authority to elect minor plant officials. The assemblies, which operate under the leadership of the party, serve only an advisory role. China has a great number of professional and other types of associations, such as the Chinese Writers' Association, the All China Youth Federation, and the All China Sports Federation. These groups operate with official sanction, and, in nearly all cases, are controlled by a party committee within the particular association.

c. Freedom of Religion

The new Constitution states that citizens of the PRC enjoy freedom of religion and should not be compelled to believe or disbelieve, nor should they be discriminated against for belief or disbelief in religion. This improves upon the previous documents that gave preference to practitioners of atheism by granting them alone the right of propagation. The Constitution assures state protection of legitimate religious activities; illegitimate activities are defined as those that are counter- revolutionary, disruptive of public order, harmful to the health of the people, obstructive of education, or dominated by any foreign country.

In actual practice, religious activities have increased significantly in the past four years. Over 200 churches are said to be open. According to some official estimates, there are as many as four million Christians in China. Unofficial estimates are markedly higher. A Catholic seminary opened in Shanghai in 1982, joining the already established Protestant seminary in Nanjing. There are several hundred mosques for over 13 million Muslims. Buddhist monasteries have resumed activities and have ordained small groups of novice monks and nuns on several occasions since 1979. There has been considerable work done on the renovation of Lamaistic monasteries in Tibet's three major towns since a reform program in Tibet was launched by Hu Yaobang and Wan Li's trip there in May 1980. In contrast to this, village level monasteries, which were closed and turned into other facilities such as grain storage warehouses during the cultural revolution, are apparently not being reopened. While the number of practicing monks has increased over the last two years, they are relatively few in number, closely controlled, and seem to be playing a largely showcase role. The government seems to be feeling its way on this score.

On the other hand, persons with religious beliefs are not allowed to join the Communist Party. They are also excluded from many of the material, career, and other benefits which often accrue to party members and from effective political power or participation in China. The stated aim of the eight "patriotic" officially-sanctioned religious organizations is to ensure that all religious organizations accept the leadership of the party and the state. Chinese authorities periodically criticize "feudal superstitious activities," a description which appears to encompass many traditional Buddhist and Taoist practices but does not appear to be directed at Christian and Muslim activities. In some areas, authorities actively discourage persons under 18 from attending religious services. Many churches, mosques, and other shrines have reopened since the Cultural Revolution, and in some areas local governments have assisted with their refurbishment. However, some religious property remains occupied by military and other units.

Chinese authorities carefully monitor and control contacts between Chinese and foreign religious organizations out of traditional concern over divided loyalties. Relations with the Vatican continue to be strained, partly because of the Vatican's continued recognition of the claim of the authorities in Taiwan to be the Government of China. Equally important, the officially sanctioned Catholic Church in China does not recognize Vatican authority. A group of Catholic clergy and laymen loyal to the Vatican arrested in Shanghai in 1981 remain incarcerated, as does Bishop Gong Pinmei, who has been in detention since the mid-1950's. Contacts with other foreign groups are allowed to a greater extent. A small group of Chinese Muslims has made the pilgrimage to Mecca annually in recent years.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Travel within China is subject to numerous restrictions. Chinese citizens must have the permission of their work unit (expressed in a letter of introduction) in order to buy airline tickets, secure hotel accommodations, or acquire ration coupons which allow them to purchase basic food items in areas outside their place of residence. Those traveling by rail who plan to stay with relatives need not obtain a letter of introduction, but still are required to register with local police during their visit. In practice, many Chinese citizens travel frequently within the country, and some ignore the bureaucratic requirements without reprisals.

Chinese controls over travel abroad and emigration have relaxed signicantly in the past few years. Tens of thousands of Chinese citizens go abroad each year to study, conduct business, or visit relatives. The US Embassy and consulates in China issued around 16,000 nonimmigrant visas in fiscal year 1982 and turned down many thousands of other Chinese applicants who had secured travel documents from Chinese authorities but failed to meet US visa standards. During the same period, 8,000 US immigrant visas were issued in China, with about 70,000 on the waiting list.

Despite the trend towards loosening controls on foreign travel by Chinese citizens, regulations promulgated in 1982 make it more difficult for some university students to study abroad. New rules prohibit students from accepting private sponsorship (except from relatives) for their studies abroad and require them to work in China for at least two years after graduation before applying to go abroad. Chinese citizens cannot travel abroad as a matter of right, and many who apply for passports are refused, though no statistics are available.

Since normalization of US-China relations in 1979, several hundred Chinese residents regarded as local citizens by Chinese authorities have presented claims of American citizenship; in nearly all cases where their claims were valid they have been allowed to leave China under Chinese documentation. In the US-China Consular Convention, both sides agreed to facilitate the reunion of families and to facilitate the travel of persons who may have a claim simultaneously to both nationalities.

There is no practice in China of revoking the citizenship of political dissidents.

China has provided resettlement opportunities to large numbers of refugees, most of them ethnic Chinese from Southeast Asian countries. There have been two large waves. In the early 1960's, 60,000 people resettled in China in the wake of anti-Chinese riots in Indonesia. Since 1977, China has accepted more than 250,000 refugees from Vietnam and about 3,000 refugees from Laos. The number of new refugees dwindled to an estimated 1,000 in 1982. There were no known cases of repatriation of refugees, either forced or voluntary.

Chinese citizens cannot freely move their residences about inside the country. Chinese are registered as residents of a particular locality and cannot change their residence without approval from the authorities, which would normally be granted only for reasons related to the resident's employment. There are many examples of Chinese working couples who live apart (except for holiday visits) because they are unable to get permission needed from the various bureaucracies involved (work units, public security offices) to live together.

e. Freedom to Participate in the Political Process

Effective political participation takes place only within the Communist Party. There are no officially-tolerated opposition parties or groups nor do there appear to be any unofficial ones, due to the effective anti-dissent campaigns of the recent past. Within the Communist Party, "democratic centralism" prevails, which means that policy is made at the top by a few leaders and transmitted downward. In principle, strict discipline is demanded, so that political debate and conflict can take place only by informal mechanisms. There has in the past been significant contestation between groups in the party's top leadership.

Eight other parties exist in China and can make recommendations on behalf of their supporters, but they are very small and have no real effect on political, economic, or social decisions.

Local assembly elections held in 1980 and 1981 provided the first opportunity for Chinese citizens to elect representatives directly in contests where there were at least two candidates, as required by law. In most cases, the local Communist Party heavily influenced the selection of candidates. In a few instances, however, avowedly non-Marxist candidates won elections, some of which were then set aside by party authorities. The Government has claimed that 30 percent of the victors in the elections were not members of the Communist Party.

China's National People's Congress meets for only about two weeks a year to approve government policies, which, in turn, have been mandated by the Communist Party. The National People's Congress has never rejected a government policy, though some have been modified as a result of Congress concerns. While there is sometimes informal dissent from policy, there has never been a significant number of votes cast in opposition.

China has traditionally been a male-dominated society, and men continue to dominate the political process. There are very few women at the top party and government levels. For example only four of the 41 ministers of the central Government are women. Participation by women increases on lower levels; about 20 percent of the deputies elected to local assemblies in 1981 were female, according to government reports.

Minority ethnic and religious groups in border areas such as Xinjiang, Xizang (Tibet), Guangxi, Inner Mongolia, and Yunnan are permitted a limited degree of local autonomy, official recognition of their languages, and favorable treatment in areas such as admission to colleges. The new state Constitution stipulates that either the chairman or the vice chairman of the standing committees of people's congresses in autonomous regions, prefectures, or counties should be a member of the nationality group exercising limited autonomy in that particular area. However, actual political power continues to rest with the party leadership whose leading members are virtually always ethnic Han Chinese. Friction between Han Chinese and minority groups continues in various areas. The governments of the autonomous regions have not interfered with massive Chinese immigration to some areas, which has greatly changed their ethnic balance. The Chinese Government has attempted, thus far without success, to persuade the Dalai Lama to return to Tibet from exile.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

China is a member of the UN Human Rights Commission and the UN Commission on the Status of Women. China has not been the subject of investigations or other human rights actions by official international organizations.

According to press reports, a group of Hong Kong student leaders visited Beijing in May 1982 to discuss the fates of dissidents arrested in 1981. They were received by government representatives, but given little information. Chinese officials have not responded to requests from Amnesty International for meetings and information regarding human rights conditions. Amnesty International's concerns as stated in its 1982 report for calendar year 1981 are the imprisonment of dissidents and their detention without trial. Freedom House describes China as "not free" and gives it a "6" rating on a descending scale of one to seven for both political and civil liberties.

There are no known organizations within China monitoring human rights conditions.

4. Economic, Social, and Cultural Situation

China faces massive problems in meeting the basic needs of one billion people. The Government has succeeded in providing basic nutrition, health care, and education. The average life expectancy of 68 years is very high for a country that ranks in the bottom half of developing countries in per capita income.

Basic health care is available at no or modest cost to Chinese citizens. Urban standards of health care are significantly better than those in rural areas, as reflected in the different infant mortality rates -- an estimated 12 per 1,000 in cities, as compared with 25 per 1,000 in the countryside. The Chinese Government has promulgated regulations which strongly discourage parents from having more than a single child. Through the use of social pressure and economic incentives and disincentives affecting material benefits such as pay and rations, it has succeeded in reducing the population growth rate from 2.0 percent in 1970 to 1.5 percent in 1981. In response to population control pressures, some families with too many children or who hold to the historic value system honoring males but scorning females have resorted to the practice of infanticide.

The Chinese citizenry enjoys a simple but adequate diet. Some basic food items, such as grains and cooking oil, are rationed. According to the World Bank, China's calorie supply exceeded nutritional requirements by about four percent in 1979. Flexible economic policies in rural areas in recent years have resulted in the growth of free markets and have increased the quantity and variety of foods available to consumers. Previous discrimination against those with suspect backgrounds, including intellectuals and former capitalists, has been curtailed. In fact, party officials at the highest levels recently have urged improvements in the living and working conditions of intellectuals, whose talents are essential if China is to develop.

The increase in Chinese per capita GDP from $219 in 1978 to $268 in 1981 has been accompanied by an increase in the supply of agricultural and consumer goods, reflecting the Government's emphasis on the development of agriculture and light industry. China's new economic development strategy represents a fundamental shift away from earlier reliance on the Soviet model, which stressed rapid growth of heavy industry and military expenditures.

Money incomes in urban and rural areas increased by an average of three percent and 16 percent respectively in 1981, according to official figures. Real national income growth was estimated at three percent, with an inflation rate of about 2.5 percent. However, many foreign observers believe that overall inflation was significantly higher.

Housing is crowded and poorly constructed in both urban and rural areas; rural localities, in particular, frequently lack basic amenities such as electricity and running water. Rents are extremely low, averaging about four percent of an urban dweller's income and ten percent of a peasant's, though many peasants own their own homes and thus pay no rent. Construction of housing units is a priority item in the Government's econmomic plan.

Unemployment in urban areas is a serious social problem in China. Youths graduating from high school or leaving at an earlier stage may have to wait many months or even three or four years before being assigned jobs. Estimates of urban unemployment range from four to ten million. To help alleviate this problem the Government has encouraged individuals, families, and small groups to set up their own enterprises, instead of relying on the state for job assignments. Labor service companies set up in many urban areas provide loans to help individual and collective enterprises become established.

China's current goal is to provide universal elementary school education by 1990. According to a Ministry of Education announcement in April 1982, this goal has already been attained in areas containing one quarter of the country's population (probably encompassing most of the urban areas in China) and is "nearing completion" in areas with another 60 percent of the population. Although the male-female enrollment ratio is about even at the beginning of the educational process, it is in favor of males at ascending levels. Women reportedly account for about one-quarter of college students. Ninety-three percent of eligible children are enrolled in the first grade. Around 30 percent of the young people in the relevant age group complete high school, and around five percent of high school graduates attend college. The adult literacy rate was 76.5 percent according to the 1982 census.

All land in China is owned by the state or by collective organizations such as communes. Property such as houses, particularly in rural and village areas, and consumer goods such as television sets, radios, sewing and washing machines, and bicycles can be owned by individuals and passed on to descendants. The People's Bank of China plans to issue private bank loans for maintenance and expansion of residential properties as well as for purchases of higher-cost consumer durables, on an installment basis.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: CHINA, PEOPLES REP

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.5	1.7	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.5	1.7	0.1
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.5	1.7	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.5	1.7	0.1
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS......	0.0	0.0	0.0
PAY. IN FOR. CURR......	0.0	0.0	0.0
TITLE II-TOTAL.........	0.5	1.7	0.1
E.RELIEF.EC.DEV & WFP.	0.5	1.7	0.1
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.5	1.7	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.5	1.7	0.1
OTHER US LOANS..........	0.0	57.1	60.4
EX-IM BANK LOANS.......	0.0	57.1	60.4
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	100.0	0.0	100.0
IBRD	0.0	100.0	0.0	100.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	0.0
OTHER-UN	0.0	0.0	0.0	0.0
EEC	0.0	0.0	0.0	0.0

TAIWAN

More than thirty years of dynamic economic development contrasts sharply with the pace of political development in Taiwan, where the ruling authorities have emphasized stability rather than change. Nonetheless, the authorities have created an array of democratic institutions from village to province level, with candidates inside and outside the dominant Nationalist Party. Actual power, however, remains in the hands of the small leadership group elected in mainland China before 1945, which came to Taiwan after World War II and controls the Nationalist Party (Kuomintang), the military, and the executive bureaucracy. A high degree of political control is exercised through the security apparatus, which operates under martial law provisions enacted in 1949 and which the authorities justify by the threat of military action or subversion from mainland China.

The enhancement of human rights is publicly endorsed by the authorities but remains incompletely realized in Taiwan. Although individuals may run for elective office, coordinated opposition activity is greatly restricted. The publication of opposition political views is closely controlled and the activities of outspoken oppositionists are monitored, both at home and, apparently, abroad. Native Taiwanese, descendants of Chinese who migrated from the mainland mostly in the eighteenth century and who now constitute 85 percent of the population, dominate the economy but are under-represented within the ruling elite. Recent evidence suggests that torture and other forms of physical intimidation are still occasionally used by police, but probably are not officially condoned.

Nineteen eighty-two saw the continuation of a slow trend toward improvement in the human rights situation in Taiwan. Publication and public expression of oppositionist sentiment have become gradually freer, although there are still strict limits to what is acceptable. The authorities continue to recruit qualified Taiwanese to fill important economic and political, military, and security posts, a process which will contribute to an increased share of political power by the Taiwanese. With the rise of a prosperous middle class, popular concern about human rights is increasing. Despite Taiwan's diplomatic isolation and concern about the island's future after the passing of the current President, Chiang Ching-kuo, the outlook for continued improvement in human rights appears favorable.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

No killings for political reasons have been substantiated in Taiwan in 1982, or indeed in recent years. However, the murder in February 1980 of the mother and twin daughters of jailed oppositionist Lin Yi-hsiung and the suspected murder in July 1981 of a Taiwan-born US resident, Professor Chen Wen-cheng, are widely believed to have been politically motivated.

b. Disappearance

In recent years, there have been no credible reports of persons being abducted or secretly arrested by the security services. There are no known terrorist organizations operating on the island.

c. Torture

Taiwan law specifically prohibits the use of torture. The Code of Criminal Procedure states that an accused shall be "frankly" examined, but that no violence, threat, inducement, fraud, or other improper means shall be used. This language is repeated in the Military Trial Law.

The death in police custody of a Taipei taxi driver, Wang Ying-hsien, in May 1982 focused public attention on the use of physical violence by police in interrogating criminal suspects, a practice many believe police resort to frequently. Wang was picked up on suspicion of robbing a bank and died while in police custody. The actual robber was captured a few hours later and Wang's daughter challenged the police account of Wang's death. The autopsy report, released on August 20, confirmed that Wang was beaten but ruled that his death was caused by drowning in the Hsintien River. Although his death was officially declared a suicide, five policemen were tried and convicted for illegally arresting Wang and causing him bodily harm.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Imprisonment is the usual form of punishment for both political and nonpolitical offenders. According to the authorities, nine executions were carried out in 1981, seven of convicted murderers, and two of persons convicted of robbery.

Taiwan's civilian prisons are severely overcrowded. In April 1982 the press reported that civilian prisons, built to accommodate 11,261 prisoners, were then holding 17,162 or 5,901 over capacity. Prisoners are forced to share cramped living quarters and have fewer opportunities for work, exercise, and family visits. Overcrowding was partially responsible for severe rioting which broke out in the juvenile section of Hsinchu Prison in March 1982.

Conditions in the military prisons administered by the security police, where political prisoners are confined, are reportedly less crowded. Prisoners receive the same food as soldiers and have work and recreation opportunities. Although conditions for the Kaohsiung-incident prisoners have reportedly improved since their arrest in 1980, six non-Nationalist Party legislators charged in July 1982 that these prisoners continue to be denied access to regular work programs and recreational activities, are prohibited certain amenities accorded other prisoners, and are subject to special rules which keep them separate from one another. A few of the Kaohsiung-incident prisoners are alleged to still suffer from the effects of pretrial mistreatment.

There is no known discrimination in the treatment of prisoners because of class, race, sex, or religion.

e. Arbitrary Arrest and Imprisonment

Taiwan's law of habeas corpus requires that, following an individual's arrest, the arresting authorities notify in writing the individual and his designated relative or friend within 24 hours of the reason for his arrest or detention. The Code of Criminal Procedure specifies that the authorities may detain an accused for up to two months during investigation prior to the filing of the formal indictment, and for up to three months during trial. During the investigation phase, however, the prosecuting officer may apply to the court for one extension of two months. The period of detention may also be extended during the time the accused is on trial. In recent cases, including the Kaohsiung incident, the authorities generally have followed the requirements of the above provisions, with exceptions occurring more frequently in the military system.

Major changes in the Code of Criminal Procedure, affecting the rights of criminal suspects, were enacted by the Legislative Yuan in July 1982. Suspects were granted the right to legal counsel during the investigation phase, including the right to have a lawyer present during interrogation by police. This was viewed by legal experts as a positive step in the protection of arrestees' rights. However, despite the opposition of the legal establishment, the press, and many legislators, the authorities also forced passage of changes which allow police to arrest without a warrant anyone they suspect of committing a crime for which the punishment would be five years or more in prison. Police power was further augmented to allow police to call in suspects or witnesses for questioning without a formal summons. The authorities justified the new police powers by insisting that the revisions would only legalize long-standing police practices.

The authorities deny holding political prisoners. They have stated that at the end of 1975 there were 254 persons in prison on sedition charges. Some persons have been released and others arrested since that time, but this is the most recent figure made public by the authorities. In December 1982 the authorities disclosed that 92 prisoners convicted of sedition and related offenses are currently being held in the Green Island military prison, compared with 115 reported to be there by Amnesty International in February 1980. Nearly 20 of these, originally arrested for communist activities, have been imprisoned for more than 30 years and were excluded from a general amnesty in 1975. Many of these prisoners, all in their fifties and sixties, are reported to be in poor health.

Many minor crimes in Taiwan are handled under a statute which empowers the police not only to arrest but also to prosecute and punish offenders. This law sometimes has been used against political activists. A substitute law, long sought by legal reformers, was put forward by the authorities in October 1981 but quickly withdrawn after being publicly criticized by lawyers and legislators. Critics complained that the law was even harsher than the one it was meant to replace, particularly provisions for "educational punishment" in military prisons for those accused by police of disturbing "social peace." In March 1982 the authorities reintroduced the "educational punishment" provisions as a separate "hoodlums" law. Although they withdrew it again in the face of heavy criticism, the authorities have indicated that they still intend to enact a police powers law incorporating "educational punishment."

f. Denial of Fair Public Trial

Taiwan's legal system is based on European and Japanese models which do not incorporate trial by jury. Under a 1980 judicial reorganization, district and high courts were shifted from the control of the Executive Yuan to the Judicial Yuan, for the first time formally separating the courts from the prosecution function. It is generally held in Taiwan legal circles that the change has given the judiciary greater independence of action.

Under martial law, which has been in effect in Taiwan since 1949, civilians who commit certain offenses, including sedition, may be tried in military court. Opposition to basic policy (such as expressing views contrary to the authorities' claim to represent all of China, or supporting an independent legal status for Taiwan) is considered seditious and thus punishable under martial law.

The authorities occasionally transfer "important" civilian cases (involving such crimes as homicide, kidnapping, and armed robbery) to the military courts. The authorities state that the military courts' swifter and generally more severe justice acts as a deterrent to potential criminals. Sentences are reviewed only within the Ministry of National Defense. In May 1982, the case of Li Shih-ko, who confessed to carrying out Taiwan's first armed bank robbery and murdering a policeman, was referred to the military courts for action. Li's trial on May 18 lasted less than two hours and the sentence, death, was carried out eight days later.

Neither civil nor martial law provides the defendant with protection from self-incrimination. Following the July 1982 revision of the criminal procedures code, suspects may for the first time have a lawyer present during interrogation. However, the authorities have indicated that the lawyer's role is to protect his client from mistreatment, rather than to provide legal counsel during questioning. In some cases, windows have been installed in police station interrogation rooms in order that lawyers (or family members) may see the suspect without hearing the questioning.

g. Invasion of the Home

Physical invasion of the home without a warrant is not a common practice in Taiwan, but does occur on occasion. The Code of Criminal Procedure requires that searches be authorized by warrants, signed by a prosecutor or, during a trial, by a judge. However, exceptions to this rule, previously few in number, were substantially increased by the revision of the code in July 1982. When making warrantless arrests, police may also make necessary searches of person or property without prior authority. Other types of violations of the home, such as monitoring telephone calls, are widely believed to exist.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Constitution guarantees freedom of speech and the press. These rights are limited, however, by the enforcement of martial law restrictions. Individuals are not free publicly to question the regime's basic political policy of anti-communism and claim to sovereignty over all of China. Persons who speak favorably of communism or the People's Republic of China, or persons (usually native Taiwanese) who question the legitimacy of Taiwan's mainlander authorities by suggesting support for Taiwan independence or self-determination, can expect to be charged with sedition and tried in a military court.

Information brought to light during the investigation of the death of Professor Chen Wen-cheng in 1981 suggests that the security authorities closely monitor political expression, both at home and overseas. During questioning by the security police immediately prior to his death, Chen was reportedly confronted with recordings of an international telephone call between himself in the US and an opposition figure in Taiwan who was later jailed in connection with the Kaohsiung incident, and of a speech he gave in Pittsburgh supporting the Kaohsiung incident defendants. Although the Taiwan authorities later denied the existence of the Pittsburgh recording, the disclosures sparked a resurgence of allegations that Taiwan agents carry out a systematic program of surveillance and intimidation of Taiwanese students on American university campuses who are suspected of advocating Taiwan independence or self-determination. Indeed, Taiwan newspaper articles have noted the role of Taiwan security service units in the United States and Japan in monitoring dissident Taiwanese political activities. Although there have been reports of such surveillance from several US universities, the Taiwan authorities deny that they carry out surveillance on American campuses.

Censorship of publications occurs frequently. It is carried out through provisions of the publications law which empower the security police to seize or ban printed material that "confuses public opinion and affects the morale of the public and the armed forces." In 1982, the authorities allowed a rise in the number of domestic political opinion magazines, the more popular of which support non-Kuomintang politicians and criticize the party. One or more issues of several of these were banned during the year. Nominally the bans are in reaction to articles critical of the policies of the authorities or which discuss sensitive subjects, but they are widely viewed as tactics of intimidation. The limits of acceptable political criticism are not clear-cut. Even periodicals which are cautious in their selection of articles for publication have been banned from time to time. The ban of a single issue of a magazine may be followed by suspension of the publication's license for one year. In 1982, three magazines received this punishment.

Books are also occasionally banned by the security police. Control over the daily newspapers is exercised indirectly, through guidance from the central authorities' information office and the Kuomintang, and restrictions on the number of newspapers. Nevertheless, newspapers have expanded their coverage in areas previously forbidden, such as news from mainland China. Competition among the island's three television stations has also led to an expansion of their coverage of mainland and other sensitive international news, despite the fact that all three are partially or wholly owned by the authorities. Mounting criticism (Kuomintang as well as non-Kuomintang) of security police censorship, as well as of other elements of martial law administration, has compelled the authorities to defend their control apparatus. In June 1982 the Executive Yuan justified regular "selective postal checks" as necessary to intercept parcel bombs and illegal correspondence with mainland China. It was denied, however, that the authorities monitor telephone conversations.

Foreign publications are available, but are also subject to censorship by the security police and sometimes pages carrying articles offensive to the authorities are removed or blacked out before they are distributed. Some foreign publications are available through subscriptions only and are not allowed to be sold on newsstands. Occasionally, the credentials of foreign correspondents are suspended for articles which challenge important official views or positions.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly is guaranteed by the Constitution. While assembly for nonpolitical purposes is generally permitted, public assembly for political purposes, except during elections, is often prevented under martial law provisions. During the authorized 15-day campaign periods which preceded islandwide elections on November 14, 1981 and January 16, 1982, all candidates, including oppositionists, were allowed to hold rallies. Those rallies, however, were closely monitored by the authorities under the Elections and Recall Law of 1980, which makes candidates liable for prosecution for "seditious" statements.

Prior to the authorized campaign periods, some oppositionists held rallies characterized as "private parties." The authorities' response was moderate but firm and such "parties" were peacefully broken up. The same tactic, used by Kuomintang candidates, usually drew no response from the authorities. Planned revisions of the election law announced by the authorities will outlaw the use of "private parties" in future elections.

There is no tradition of trade unionism in Taiwan, and labor unions do not exercise significant influence either in the economic or political sphere. While labor unions are permitted to organize, walkouts and strikes are prohibited under martial law. Collective bargaining, although provided for by legislation, does not exist.

c. Freedom of Religion

Freedom to practice religion is guaranteed by the Constitution. Most Taiwan inhabitants adhere to Confucianism, Taoism, Buddhism, animism, or a combination of beliefs. Other religions include Christianity and Islam. Some pseudo-Buddhist sects and Sun Myong Moon's Unification Church have been banned, due to parents' complaints that these groups were a corrupting influence on Taiwan youth. The groups were accused of leading youth to engage in "abnormal behavior" that involved turning their backs on their families, shifting their allegiance from state to church, and actively proselytizing for further converts. Action was taken on the basis of the police offenses law, a catch-all statute which allows the police to punish minor offenders without referral to the courts.

While generally respecting the right to practice religion, the authorities have brought pressure to bear against religious organizations they consider to be involved in unacceptable political activity. In 1977 the Presbyterian Church in Taiwan (179,000 members), long suspect for its advocacy of Taiwanese rights, issued a "Declaration on Human Rights" to which the church leadership has since repeatedly reaffirmed its commitment. By calling for Taiwan's transformation into a "new and independent country," the declaration has placed Taiwan's Presbyterian leaders (almost all native Taiwanese) in a clear position of questioning Taiwan's mainlander-controlled political institutions.

Friction between the Presbyterian Church and the authorities came to a head in 1980 when the church's general secretary, Reverend Kao Chun-ming, and several other Presbyterians were convicted in military court of harboring sedition defendant Shih Ming-te. While admitting he had assisted Shih, Rev. Kao denied seditious intent; he declared his religious vocation precluded his betraying someone who had sought help and permitted him only to advise Shih to give himself up. Although relations between the church and the authorities have relaxed somewhat recently, the authorities continue to monitor church activities closely. The authorities have warned church members to avoid involvement in oppositionist political efforts or Taiwan independence activity.

In 1982 the authorities established a religious council, made up of representatives of the island's major religious bodies, to advise them on church matters. There are fears that the council may be used to justify unpopular official policies. Similar concerns have been expressed about legislation proposed in 1981 to regulate church activities. The proposed legislation is opposed by the island's major religious organizations as a threat to freedom of religion, although the authorities argue that the law is necessary to "define the scope of religion" and to "protect freedom of religion." An additional proposed measure would for the first time place religious educational institutions under the control of the Ministry of Education. The authorities argue that this would improve the quality of instruction and provide accreditation for the diplomas granted by these schools. Critics point out that it would also empower the Ministry of Education to control curricula and to place a military training officer in each school. Although action on these measures has so far been withheld, the authorities have not renounced their intention to enact them.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for the freedom to change residence. There is general freedom of internal travel in Taiwan, except to military and other restricted areas. Emigration and private travel abroad have become freer since 1979. After the last calendar day of the year in which they turn fifteen, males may not leave Taiwan until completion of their military service. Since 1980, businessmen have been permitted to travel to and do business directly with certain Eastern European countries. Moreover, it is widely believed that the authorities are willing to overlook some personal travel to mainland China if handled discreetly.

Permission to leave Taiwan may be delayed or withheld for security reasons or because the persons involved have criticized the political establishment. Statistics released by the authorities indicate that in 1980, the last year for which we have figures, 949,306 persons applied for exit permission. Of that number, over 20,000 are reported to have been refused, 327 for security reasons and the rest for unspecified causes.

In general, the authorities recognize the right of repatriation of those Chinese holding Taiwan passports who normally reside in Taiwan. Those issued "overseas Chinese" passports do not automatically have the right to travel to Taiwan for permanent residence. In principle, Taiwan will not authorize the entry of Chinese, even those who have long held Taiwan passports, if they have lived in communist-controlled areas within the preceding five years.

Under its program of assistance to Indochinese refugees, Taiwan, through June 1982, has granted permanent resettlement to more than 4,700 such refugees, nearly all of them ethnic Chinese. It has also provided temporary asylum to nearly 2,000

Vietnamese "boat people" (refugees escaping by boat) awaiting acceptance by other countries.

e. Freedom to Participate in the Political Process

Reflecting their claim to be the Government of all of China, the Taiwan authorities possess an array of political bodies over and above those which pertain solely to the island of Taiwan. The locus of power on Taiwan is the presidency and the central executive branch. While representation of native Taiwanese in local and central legislative bodies has been increasing, Taiwanese are seriously under-represented in the powerful executive branch, in which persons who arrived from the mainland after 1945 hold the most powerful positions. There have been recent increases in the number of Taiwanese holding executive branch positions, however. The Vice President, about one-third of the cabinet (including the Vice Premier, the Minister of the Interior, the Minister of Communications, and three Ministers without Portfolio), and the Governor of Taiwan, among others, are Taiwanese. Nevertheless, critics point out that their power and influence both individually and collectively are limited.

The most important elective bodies at the central level are the National Assembly, which elects the President and Vice President, and the Legislative Yuan, which is the Central Legislature. There have been no general elections to these two bodies since 1948, the authorities taking the position that such elections cannot be held until they re-establish control over the mainland. In October 1982 the Minister of the Interior explained that if overall elections were held the winners could not represent all of China, but only Taiwan province. Beginning in 1969, "supplementary elections" for these central bodies have been held to choose additional representatives from Taiwan and the adjacent islands. The advanced age and incapacity of many of the members of the Legislative Yuan elected on the mainland in 1948 forced the authorities in 1982 to lower the number of legislators required for a quorum. Supplemental legislators elected on Taiwan now constitute the most active group in the Legislative Yuan.

Since 1950, democratic institutions have been in operation at the provincial and local levels. Universal suffrage exists for all citizens twenty years of age and over. Elections have been held regularly for provincial, county and municipal offices, with Kuomintang candidates competing with independents and oppositionists. The Taiwan provincial governor and the mayors of Taipei and Kaohsiung, however, are appointed by the central authorities.

Despite the existence of two small, nominal opposition parties, Taiwan is dominated by one party. The Nationalist Party has ruled Taiwan since 1945 and is a "revolutionary" party whose structure and control mechanisms are based on early Soviet models. Party organs exist at all levels of the ruling structure, as well as in the military, schools, and other public institutions. New opposition parties are forbidden under martial law and candidates who oppose the Kuomintang in elections run as independents or "non-party" candidates. Even though the large majority of candidates elected are from the Kuomintang, independent candidates, nearly all Taiwanese, have increasingly been successful in the recent past. In the provincial elections in November 1981, a loose coalition of "mainstream non-Kuomintang" candidates won about 30 percent of the votes cast, with non-aligned independents and members of the legal opposition parties winning an additional 10 percent. Independents won a similar share of votes in the previous provincial elections in 1977.

Independents face several disadvantages in the election process. The election law enacted in 1980 generally favors Kuomintang candidates, because its provisions, many of which are ambiguous, are interpreted by the central election committee which is controlled by the Kuomintang. The law forbids the participation of students, formerly a prime source of campaign workers for independent candidates, and allows only officially sponsored rallies in which all candidates participate together in the last few days before an election. Independent candidates are further disadvantaged by press self-censorship. The daily press tends to give little publicity to the views of the independents. Periodicals which publicize the views of independent candidates are subject to frequent censorship by the security police. However, such periodicals were not silenced during the provincial elections in November 1981, as they were during previous elections, and they have since been allowed to increase in number.

Women constitute 48 percent of Taiwan's population. The few laws which discriminate against them relate mostly to divorce issues and inheritance. Nearly 500 women were elected to city and town councils in June 1982, taking about 13 percent of the total seats up for election, while in the December 1980 "national" elections women candidates were the top two vote-getters. Regulations governing elections make some provision for guaranteed minimal representation of women in local and central legislative institutions. Enrollment of women in institutions of higher learning has increased 97 percent since 1952, to 411,000 in 1982. The number of women employed in ministries and other official agencies has increased by 40 percent since 1973. A fledgling women's rights movement is slowly growing.

Taiwan's only non-Chinese minority group is made up of descendants of Malayo-Polynesian immigrants who were already established in Taiwan when the first Chinese settlers arrived. Many of these aboriginal "mountain people," who comprise about one per cent of Taiwan's total population, live on restricted-access reservations, but most must compete with the Chinese majority for educational and job opportunities. There is no official policy of discrimination against the aborigines, and the authorities have instituted educational incentives and other social programs to ease their transition into Chinese society. The barriers created by de-facto cultural and economic discrimination, however, are frequently insurmountable. "Mountain people" are often relegated to low-paying, menial jobs by Chinese employers and many are forced to seek long-term employment overseas as fishermen or laborers. The rapid disintegration of tribal culture and the difficulty of "making it" in Chinese society have produced a general malaise within many aborigine communities, which is the source of the widespread alcoholism and "laziness" sometimes caricatured by unsympathetic Chinese. Special designated seats in both central and provincial legislative bodies are reserved for aborigine representatives.

3. Authorities' Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Taiwan authorities on occasion have permitted representatives of international human rights organizations, as well as private individuals interested in human rights issues, to visit Taiwan and meet with appropriate officials.

Taiwan's martial law was the subject of hearings before the Subcommittee on Asian and Pacific Affairs of the House Foreign Affairs Committee in May 1982. Prior to this, four members of Congress issued an appeal to the Taiwan authorities calling for an end to the 33-year-old martial law.

The Chinese Human Rights Association, which in the past has focused its attention primarily on human rights questions in mainland China, has recently devoted more of its efforts to human rights in Taiwan. In 1982, the Association sponsored tours for law-makers and legal experts to examine Taiwan's crowded prisons and established a legal aid service for Taipei residents. The association has also put together a human rights report on Taiwan, which was to be released in late 1982. Freedom House, in its 1982 report, rates Taiwan as "Partly Free."

4. Economic, Social, and Cultural Situation

Taiwan has established an excellent record of providing for the social and economic needs of its people. In general, the opportunity to participate in economic benefits is available to the population as a whole without discrimination. The per capita gross national product (GNP) in 1981 was over $2,500. Unemployment in the first half of 1982 averaged 1.62 percent. The authorities' fiscal 1983 budget allocated more than 30 percent of the total budget to education, science, culture, and social programs.

Although economic growth has recently fallen short of the spectacular rates achieved earlier (GNP grew at a rate of 3.91 percent in the first half of 1982, compared with the 1969-1979 average rate of 10 percent), the economy remains healthy. The prospects for continuing economic well-being are favorable as the authorities attempt to shift the focus of their export-based economy to high-technology industries.

Taiwan has developed an effective public health program and a system of health stations throughout the island - a total of more than 11,000 medical care facilities. In 1980, Taiwan had more than 7.5 physicians, 6.6 nurses, and 22 hospital beds for every 10,000 persons. Health promotion programs include maternal and child disease control and environmental sanitation. Major epidemic disease has been reduced, although limited outbreaks, such as a surge in polio cases in August 1982, still occur. Because of these public health programs and a generally good diet (per capita daily caloric intake exceeds 2,800), life expectancy has increased to 70 years for men and nearly 75 years for women. Taiwan's birth control efforts have been successful in bringing the birth rate in 1981 down to 1.77. This has been crucial in alleviating population tensions on the island, where the population density per square mile of cultivable land exceeds 5,000.

Education is one of the main concerns of the authorities and the population in general. Statistics show that 90.2 percent of the population over age six are literate. Of school-age children, 99.8 percent are currently in school and free compulsory education is available through junior high school. About 60 percent of junior high school graduates pass examinations and enter three-year senior high and vocational school programs. Entry into Taiwan's extensive system of higher education is also based on competitive exams, and departures from a strict merit system are almost nonexistent. In 1982, more than 20 percent of college-age youth were enrolled as undergraduate or graduate students.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: TAIWAN

	1980	1981	1982
I.ECON. ASSIST.-TOTAL	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)	0.0	0.0	0.0
B.FOOD FOR PEACE	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
TITLE I-TOTAL	0.0	0.0	0.0
REPAY. IN $-LOANS	0.0	0.0	0.0
PAY. IN FOR. CURR	0.0	0.0	0.0
TITLE II-TOTAL	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY	0.0	0.0	0.0
C.OTHER ECON. ASSIST	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
PEACE CORPS	0.0	0.0	0.0
NARCOTICS	0.0	0.0	0.0
OTHER	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
A.MAP GRANTS	0.0	0.0	0.0
B.CREDIT SALES-FMS	0.0	0.0	0.0
C.INTL MIL.ED.TRNG	0.0	0.0	0.0
D.TRAN-EXCESS STOCK	0.0	0.0	0.0
E.OTHER GRANTS	0.0	0.0	0.0
III.TOTAL ECON. & MIL	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
OTHER US LOANS	68.2	69.5	224.0
EX-IM BANK LOANS	68.2	69.5	224.0
ALL OTHER	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL	15.2	17.4	20.2	507.0
IBRD	0.0	0.0	0.0	309.8
IFC	0.0	0.0	0.0	9.8
IDA	0.0	0.0	0.0	15.8
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	92.4
AFDB	0.0	0.0	0.0	0.0
UNDP	8.2	17.4	0.0	43.6
OTHER-UN	7.0	0.0	20.2	35.6
EEC	0.0	0.0	0.0	0.0

FIJI

Fiji is governed by a Westminster-type multi-party parliamentary system inherited from the British colonial period, with a written constitution providing safeguards to protect the traditional communal social systems, including land holding rights, of the indigenous Fijians. Fiji's 645,000 citizens form a multi-racial society made up of indigenous Melanesians/Polynesians (44.4 percent), immigrant Indians (50 percent), and small groups of European, Chinese, and other Pacific Islanders (5.6 percent). It is justly proud of its human rights record.

The individual civil and political rights of Fiji's citizens are protected by law, a court system which functions both effectively and rapidly, a free press, strong democratic institutions, and a government which supports cultural diversity. The integrity of the person is respected both in law and in practice. There have been no recent developments in Fiji that adversely affect its human rights climate.

Fiji's fourth national elections since independence were held in July 1982, and the ruling party was returned with a reduced majority. Despite a campaign that some local observers thought particularly harsh in tone, the election passed without violence, serious incident, or disruption of any government services. Charges by both of Fiji's major parties of electoral fraud and foreign influence on the electoral process are the subject of a special investigation by an independent commission of inquiry appointed by the Governor General.

The close outcome of Fiji's 1982 national elections will probably in the long-term cause political leaders of both parties to seek a broader base of support in Fiji's several ethnic communities. At present, each political party tends to be identified with either Fijian or Indian constituents, though all have members from both communities. An effort to broaden this base of support, prompted by the desire for political success, should further defuse what racial tensions do exist in Fiji and, eventually, lead to a situation in which race plays little or no part in the nation's political life.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Politically motivated murders by the Government or opposition political organizations were unknown in Fiji in 1982.

b. Disappearance

There have been no known disappearances nor is there any evidence of people being abducted, secretly arrested, or clandestinely detained.

c. Torture

Torture, which is prohibited by the Constitution, is not practiced in Fiji.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Cruel, inhuman, or degrading treatment or punishment is illegal and is neither condoned nor practiced. There are no summary executions in Fiji. Treatment of prisoners is impartial and humane. While there are no discriminatory practices by virtue of race, it should be noted that approximately 79 percent of the prison population is indigenous Fijian. In addition to constitutional protections, a law setting out the prisons ordinance contains specific regulations on subjects such as treatment, visiting rights, and clothing. While prisons are overcrowded, legislation exists which permits prisoners to serve their time in extramural situations (i.e., work for the Government and live outside the prison) for the last twelve months of sentence and for any sentence of 12 months or less duration. Legislation also allows gainful employment in addition to commitment to perform public work while serving an extramural sentence. The prisons ordinance is detailed and includes provisions for such things as accommodating dietary restrictions for vegetarians (important to the Indian community), and entering prison cells at night. Public defenders are available, and the Fiji Red Cross has access to prisoners.

In the past year there have been several reports in the local media regarding the maltreatment of prisoners by prison employees. The charges have been investigated by the government and in at least one instance a prison guard was dismissed. These incidents appear to be isolated cases of corporal abuse and do not imply the tacit approval of such behavior by the Government.

e. Arbitrary Arrest and Imprisonment

There are no political prisoners in Fiji. Habeas corpus exists and is honored in practice, and there is no preventive detention. In addition to constitutional safeguards, the law establishes detailed rules to be followed by the police during arrests. A suspect may be held without charge following arrest for a maximum of 24 hours.

f. Denial of Fair Public Trial

The right to a fair public trial is guaranteed by law and is honored in practice. Defendants are entitled to counsel, and counselors have free access to defendants. Consultations between counselors and defendants may be held in private. There is no harassment of defense counsel by the Government. Defendants are made fully aware of the charges brought against them, and they and their lawyers can inform themselves of the evidence on which charges are based. Fiji's courts are independent of executive or military control. There are no special courts to deal with security or political offences, and civilians are not tried by military courts. An ombudsman's office actively investigates complaints against the Government while protecting the identity of the complainant.

g. Invasion of the Home

There is respect for the sanctity of the home, and warrants issued by a magistrate are required for officials to enter a private residence. Illegal entries of the home are neither practiced nor condoned.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These rights are guaranteed in the Fiji Constitution and are observed in practice. Although there is only one radio station, it is under the administration of an independent broadcasting commission and provides balanced coverage of the news in three languages. The press is free and private, and there is no censorship or control of the press by the Government. However, Fiji has retained from the colonial administration an ordinance (dated 1949) which allows the Government to order a correction in the press if the Government believes its position has been misrepresented. This ordinance, though very seldom used, is resented by the press as it requires printing equal space and equal placement of the Government's statement. There is no interference with academic inquiry.

b. Freedom of Peaceful Assembly and Association

There are no impediments to assembly or to freedom of association, although an ordinance requires obtaining a permit one week in advance of any picketing or public demonstration. Fiji has an active trade union movement, recognized by the government, which jealously guards its rights to organize, strike, bargain collectively, and lobby. Fiji's 50 trade unions have about 45,000 members. Unions must give a 28-day notice of intent before going out on strike in the public sector. Fiji's largest trade confederation is associated with the International Confederation of Free Trade Unions and recently sponsored that organization's first South Pacific regional meeting.

c. Freedom of Religion

All religions are tolerated and allowed to practice their rites. There is no dominant religion in Fiji, nor is any singled out for discrimination.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

All Fiji citizens are free to travel. There are no restrictions on repatriation. Passport fees are not excessive. There are no refugees in Fiji, nor have any refugees applied for admittance. Persons with specific skills or who intend to make significant investments in Fiji's economy are eligible for residence permits, upon application to the government. Fiji's limited land area requires the government to examine these applications carefully to prevent overpopulation.

e. Freedom to Participate in the Political Process

Fiji's political structure is designed to accommodate the special interests of the ethnic Fijians and of the immigrant Indian community. Election to the House of Representatives is on the basis of communal and national rolls. House elections are free and democratic, and a multitude of parties contest the seats. During Fiji's most recent national elections (July 1982), 85.4 percent of the voting-age population participated and, until the votes were counted, the outcome of the election was uncertain. Members of the Senate are appointed by the Fiji Council of Chiefs, the Prime Minister, and the Leader of the Opposition.

Charges of misconduct by both of the major parties contesting the election are the subject of an independent one-man commission of inquiry appointed by the Governor General. Fiji's court system has tried and, in some cases, convicted individuals charged with electoral fraud, including a member of the governing Alliance Party.

The Constitution states that "every person in Fiji is entitled to the fundamental rights and freedoms of the individual, that is to say, the right whatever his race, place of origin, political opinions, color, creed, or sex.." There is no law that specifically prohibits discrimination by sex. Women are, nevertheless, active in all aspects of social, economic, and political life. Professional women are in the minority but are influential (for example, the opposition whip in parliament is a woman). As is true throughout the South Pacific, women in the rural areas play a traditional subordinate role, and tribal inheritance is usually based on a patriarchal system. Women, however, can and do inherit the status of chief (Fiji's third highest ranking chief is a woman). Among the Indian community, marriages are still often arranged, but there is growing awareness among the women, both Fijian and Indo-Fijian, of their rights and obligations to participate more actively in social and professional endeavors outside the home.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

There have been no such allegations against the Fiji Government or of any requests for investigations. Fiji is a member of the United Nations Human Rights Commission. Fiji's ombudsman investigates complaints against the Government while maintaining the confidentiality of his relationship with the client. A free, independent, and competitive press also serves as a watchdog for human rights.

4. Economic, Social, and Cultural Situation

Fiji's economy is divided between a subsistence agricultural sector and a cash-based economy, the former characteristic of the outlying islands and the latter typical of the group's two main islands, Viti Levu and Vanua Levu. The per capita Gross National Product of Fiji is relatively high for a developing nation at $1848. Fiji seeks to distribute economic opportunities through regional planning and economic incentives, not by penalizing private industry. Private enterprise is encouraged -- as is foreign investment -- and the government recently created an Economic Development Board designed to assist private, domestic, and foreign investors develop their projects.

Within the limits of its resources, Fiji attempts to meet its people's social and economic needs on a non-discriminatory basis. The Government neither encourages nor condones sexual, racial, or religious discrimination. Property may be owned individually or in association with others, and that right is protected by law.

Health care has been expanded to cover as many of the outlying islands as possible, with an emphasis on preventive medicine. Reflecting this expansion of medical services, life expectancy at birth has risen seven years in the past two decades to 71.8 years. Fiji's infant mortality rate is 36.6 per 1,000 live births and its population growth rate is 2.4 percent. In the last decade the percentage of the total population with access to safe water rose dramatically from 47 to 69 percent, and in rural areas the percentage of persons with access to safe water more than quadrupled, rising from 15 to 62 percent. Fiji's rich soil and tropical climate combine to give its people a relatively adequate diet. Today the typical Fijian citizen has immediately available 99 percent of his nutritional requirements, up five percent from the figure in 1960. These figures do not reflect the composition of the diet, which tends to be heavy in starches due to the prominent role root crop farming plays in traditional agriculture.

Three-quarters of Fiji's population can read and write, and almost every Fiji citizen is to some degree bilingual in English and either Fijian or Hindustani. The Government is seeking to provide free primary education and virtually all children of this age group are enrolled in school, as are 90 percent of secondary school-age children. World Bank statistics on education in Fiji reveal no discrimination between sexes with regard to access to education.

Fiji's per capita GNP has risen 400 percent since 1960. As is frequently the case, however, the distribution of the nation's wealth is uneven and skewed in favor of urban centers. To remedy this, Fiji's most recent development plan calls for increased attention to rural development problems and the commitment of resources to improve housing, nutrition, health services, and education in the rural areas. Furthermore, government support for opening new areas of agricultural development, especially cane farming and pine growing projects, has provided economic incentives to the rural population.

INDONESIA

Indonesia has a limited representative government dominated by the military. The world's fifth most populous nation, Indonesia contains a wide diversity of ethnic, social, linguistic, and religious groups. The Government stresses national unity through a secular political philosophy. The themes of public policy emphasize independence, economic development, public order, and nationalism. According to 1982 World Bank per capita income statistics, Indonesia has moved, albeit barely, into the category of middle income developing countries.

Indonesia became an independent constitutional democracy in 1945, but experienced periods of political disruption and authoritarianism during Sukarno's tenure as President. In 1965, an unsuccessful attempt by the Indonesian Communist Party to seize power resulted in significant and prolonged social disruption and violence. Memories of the events of that time significantly color official Indonesian attitudes toward acceptable limits of political dissent. Three of the four national elections since independence have been held by the current Government, including parliamentary elections on May 4, 1982. Indirect election of the President by the Supreme Consultative Assembly will take place in March 1983.

Decision-making through a process of consultation and consensus is ingrained in the Indonesian political process. This non-confrontational, consensus-building approach is considered by most Indonesians to befit a pluralistic and economically-developing society. In Indonesia, group considerations come ahead of individual ones. Because of the unique features of their society and national experience, Indonesians tend to stress the rights of society as a whole over those of the individual. At the same time, there is a long tradition of personalized rule derived from the colonial and pre-colonial periods. Additionally, the fear of separatist revolts -- whether ethnic, religious or rooted in geography -- has resulted in greater power for the central Government, which has been determined to maintain and promote national unity and integration.

During 1982, several positive human rights developments took place. Concerned local groups and, occasionally, the media continued to focus public attention throughout Indonesia on the preservation and improvement of civil and human rights. Several leading Indonesian human rights figures joined in the establishment in Manila of an Asian Human Rights Council, and ties with international human rights organizations were broadened and deepened. The new Criminal Procedures Code, promulgated on the last day of 1981, was implemented during 1982, and, although there have been initial problems, the legal profession regards the new code as potentially an important advance in the protection of the rights of the accused. Parliamentary elections in May drew wide participation. Despite some concerns expressed about special advantages enjoyed by the government-backed political grouping and rumors of manipulation of ballot tabulations, the elections appear to reflect public sentiment.

During and immediately after the election campaign, the government temporarily suspended the licenses of two publications as a result of their reporting on election events. One was closed eight weeks and the other four months. In September, Parliament passed a new press law which government officials claim will make suspension of press licenses rare, as well as rationalize the current system of press self-censorship.

East Timor continues to be the focus of human rights attention. Particular interest centered on the question of the approximately 3,700 detainees on the island of Atauro and the conditions of their detention. During 1982 there were some positive developments in this regard. In February, the International Committee of the Red Cross (ICRC) began visits to prisons in Dili and elsewhere in Timor and to the Atauro Island detention facility. These visits facilitated some family reunifications and the location of some persons previously thought to be missing. Also in 1982, the Indonesian Government authorized a number of visits to East Timor by foreign journalists, scholars, and diplomats, many of whom visited Atauro Island and areas previously alleged to be experiencing serious food shortages. The Indonesian Government continued its intensive development efforts during the year; East Timor is the largest per capita recipient of domestic development funds among Indonesia's 27 provinces.

The Indonesian Government continues to provide one of the region's two processing centers for Indochinese refugees and accepts first asylum refugees pending their resettlement in third countries.

For the longer term, there is a trend toward greater codification and clarification of the rights and obligations of individuals and those of the state. The passage and implementation of the Criminal Procedures Code is but the most obvious example of this trend. There is an apparent trend toward less direct involvement in the election process by the Indonesian military, although the basic defense law enacted in 1982 for the first time made a matter of law the dual role of the military both as a defense and security force and as an active participant in the national socio-political process. Restrictions on political expression remain, and there is continuing concern among human rights groups over government powers of detention without trial.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Killing for political motives either by government or political organizations has not been a feature of Indonesian political life since the serious disruptions of 1965/66. Although between 10-20 persons were reportedly killed in acts of campaign violence before the May 4, 1982 elections, there is no reason to suspect that any of these killings represented an organized conspiracy by either the Government or political groups. In the last week of the campaign, government security forces were given "shoot to kill" orders to prevent disruption of the campaign or voting. Several demonstrators were killed when troops attempted to disperse them on the last Sunday of the campaign, but election day passed without reports of violence from any of Indonesia's 27 provinces.

b. Disappearance

Since incorporation of the territory of Portuguese Timor into Indonesia in 1976, concern has been expressed by international human rights organizations about disappearances and mistreatment of East Timorese. Amnesty International, in particular, has emphasized several specific cases. During a trip to East Timor in February 1982, representatives of the ICRC were able to visit the Dili prison and Atauro Island where supporters of the dissident Fretilin organization are detained. As a result of this visit and earlier work in East Timor, the ICRC, in conjunction with the Indonesian Red Cross, has succeeded in establishing the whereabouts of many missing persons and reuniting some separated family members.

It is noteworthy that the number of allegations of physical mistreatment and disappearance has declined since the period of fiercest fighting between Indonesian and Fretilin forces (1976-79).

During 1982, there were no new allegations of disappearance of members of alleged extremist Muslim groups classified by the Government as subversive. Over the course of the year, in a series of widely reported trials, suspected Islamic extremists, some of whom had been reported missing, were tried and convicted on criminal charges arising out of anti-government activity, including terrorism, and charges of seeking to topple the Government and constitutional order.

c. Torture

Indonesia's legal codes make no specific reference to torture or cruel punishment. Some former detainees have alleged beatings and other abuse of accused criminals and of some political dissidents, particularly alleged Indonesian Communist Party members and extremist Muslims.

In late 1982, the press reported two instances in which police may have tortured persons in their custody. Details about the first case, in the city of Ambon, are sketchy. The second case, which took place in Jakarta, involved the possible torture/beating of a 19-year old high school student who later died. The press was instrumental in bringing the second case to light and reported that the four police officers allegedly involved would be tried to determine whether they were responsible for the student's death. Commenting on the case, Indonesia's chief security official denied police had tortured the student and reiterated the official policy that torture by authorities is "intolerable."

Other than these two cases, there were apparently no allegations of torture. Widespread publicity given to charges of torture, as in these and earlier cases, and news of disciplinary action by the police against offenders, as occurred in 1981, may have had a salutary effect in inhibiting potential police abuses. In addition, human rights groups have indicated they believe there is a continuing trend toward better treatment of prisoners. Nevertheless, lapses in treatment of prisoners obviously do occur, and there are variations in attitudes by locality, particularly in remote provinces.

Visitors to East Timor during 1982 have found no current evidence to suggest abuse of persons detained or imprisoned there.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Overcrowded prisons, minimal food rations, and occasional mixing of political detainees with ordinary criminals have given rise to charges of abuse of prisoners. Student detainees generally have enjoyed special facilities, as do certain other classes of political prisoners. Separate detention facilities are maintained for women.

Allegations of inhumane treatment of prisoners in Atauro detention center in East Timor have not been substantiated by visitors there. There is, however, concern about the adequacy of health care and the monotony of diet for detainees.

There were no reported incidents of summary execution in 1982. In December 1981, President Soeharto commuted to life imprisonment (with the possibility of parole) the death sentences of the two most prominent individuals convicted of involvement in the abortive communist coup attempt of 1965. At least twenty persons, sentenced to death for their involvement in the coup attempt, remain in prison with their sentences held in abeyance.

During 1982, several extremist Muslims associated with the hijacking of an Indonesian airliner from Sumatra to Bangkok in 1981 and a bloody attack on a Bandung police station were tried, convicted, and sentenced to death. All have appealed. Meanwhile, in early 1982, President Soeharto rejected an appeal for clemency from a convicted Muslim extremist in Medan, Sumatra, but the prisoner has not yet been executed.

e. Arbitrary Arrest and Imprisonment

The rights of habeas corpus, bail bonding, and legal counsel are included in the new Criminal Procedures Code promulgated in December 1981, but they do not apply in cases involving alleged subversion or corruption. In security and subversion cases, the period of detention has no legal limit.

Experience with the new Criminal Procedures Code since its promulgation on December 31, 1981 has been mixed. During the first half of 1982, lawyers complained that police, prosecutors, and judges had not yet familiarized themselves with the code. In one prominent slander case brought against a former chairman of the Lawyers' Association, the accused, though charged under the new Criminal Procedures Code, was nonetheless denied access to counsel during interrogation and his family was not allowed to know his whereabouts or visit him, both actions being apparent violations of the code. Despite mixed experiences with the new code, most lawyers are pleased to have updated criminal law procedures. Law enforcement and judicial officials publicly have aired views that some sections of the code may require revision, but there are as yet no proposals in this respect before Parliament.

The Indonesian Government has in the past detained oppositionist students and their advisors, other political activists, and persons accused of corruption. A few have been brought to trial, and most have been released after questioning. During the past few years, detentions have fallen into two groups: students and opposition leaders arrested during the protests surrounding the electoral process in 1977-78 and suspected Muslim extremists believed to have instigated or participated in illegal anti-Government activites, ensuing acts of violence or criminal acts such as robbery and murder. Alleged Muslim extremists are often detained under subversion statutes for periods ranging from several days to (in rare cases) several years. The number of such detainees tends to increase in politically sensitive periods, such as the 1982 election campaign. In late 1982, Indonesian human rights observers estimated the number of detained Muslim extremists to be between 400 and 500.

All political prisoners detained in connection with the failed 1965 coup, with the exception of several hundred persons tried and convicted of specific criminal offenses, were released by December 1979. While questions about conditions of the released political prisoners are not a matter of considerable public interest or concern in Indonesia, their status and efforts to reintegrate them into society are sometimes raised by foreign and domestic humanitarian organizations. Objection has been made to the fact that the identification cards of ex-prisoners, while similar to those required of all Indonesians, carry special identifiable markings and that, reportedly, in some parts of the country former prisoners are periodically required to report their movements. Of more concern are limitations on employment opportunities for former prisoners. By government edict they may not join the civil service, the armed forces, or be employed by "essential industries." In August 1982, Indonesia's chief security official told a gathering of government officials charged with supervision of released detainees that the former prisoners were free once again to work at their old professions (such as journalists, doctors, lawyers), but that employers were obliged to report to proper authorities their hiring of ex-detainees.

There is still no central authority concerned with collecting information on the welfare of ex-prisoners. Reports on them are, therefore, impressionistic, based on limited or skewed samples, but there is a perception that the percentage of former prisoners unemployed is higher than for the bulk of the population, and that other social opportunities open to them remain more limited. There are unconfirmed reports that discrimination has extended to their families, who have also been denied educational and employment opportunities.

Allegations of arbitrary arrest in East Timor fall into two categories: persons arrested and detained in prisons on the main island of Timor and persons detained on the island of Atauro, located off the north coast of Timor. An ICRC team visited East Timor in February to begin a program of prison visitation both at prisons on the mainland and at the Atauro island detention center.

In mid-November, the number of detainees on Atauro was believed to be about 3,700. The Indonesian authorities state that they intend to resettle these detainees in new villages on the mainland, as the agricultural base on Atauro cannot support the detainee population. Several hundred Atauro detainees have already been resettled at Cailaco, in southwestern East Timor.

f. Denial of Fair Public Trial

Law 14 of 1970 states: "Court investigation sessions are open to the public unless regulated separately by the law." This applies only to courts of first instance, not to appeals courts, where hearings are conducted primarily on the basis of legal briefs, with no personal appearances. It has been left to the discretion of judges to decide when court sessions should be closed in the reported interest of national security, public order, or propriety. In practice most trials are open. There have been occasional complaints, however, that in the past, particularly in some security and political cases, public attendance was discouraged by the requirement that those wishing to attend register and sign their names.

Indonesian law provides for the creation of military "extraordinary courts" by the President to try civilians in unusual cases. In fact, military courts have only been established twice to try civilians: the first time to try separatists involved in regional rebellions of the late 1950's, and the second time to try persons implicated in the September 30, 1965 unsuccessful coup attempt. A 1950 law gives the Ministers of Defense/Security and Justice power to extend the jurisdiction of military courts over civilians in undefined cases, but as far as is known, this provision has never been employed.

In recent years, most suspects and detainees have been provided with legal counsel. Under the new Criminal Procedures Code, accused persons may be advised by counsel during initial interrogation, and they have the right to counsel in cases where they face a "heavy" sentence, i.e., five or more years' imprisonment or a fine in excess of 100,000 rupiah ($140). In practice, police and prosecutors are interpreting the law to "permit" an accused to have legal counsel during interrogation rather than acknowledging a "right" to counsel. On the other hand, human rights observers in Indonesia say counsel is being provided during trials, as stipulated in the new code. Funds have been budgeted for the payment of lawyers' fees, and the new system is operating well, particularly in larger cities, while in remote areas this provision of the new code is being implemented more slowly, in part due to a lack of trial lawyers.

Individuals and civil rights organizations have charged that fair trials have been denied because of corruption within the judiciary. In 1981, several judges involved in corrupt activities were suspended and put on trial. Arrests and suspensions continued in 1982, although attorneys expressed concern that the anti-corruption program might be losing steam.

Some critics have charged that the legal system is not insulated from political interference. Prosecutors and judges are civil servants and as such are required to join the government employees association. Although the judiciary is theoretically independent, in 1982 there were reports of government agencies and officials ignoring subpoenas, and in several cases judges overruled defense counsel requests to subpoena government officials.

g. Invasion of the Home

Judicial warrants for searches of private property are required except for suspected subversion, economic crimes, and corruption.

Forced entry by security authorities has been alleged, but no cases came to light in 1982. One human rights organization has contended that cases of "bugging" are quite common but evidence to substantiate such claims is lacking.

2. Respect for Civil and Political Liberties, Including:

a. Freedom of Speech and Press

Indonesia's 1945 Constitution states that the freedom of association and assembly and of expressing thoughts orally and in writing shall be prescribed by statute. Opposition sentiments are publicly expressed. Opposition elements continued to use parliamentary and other legal procedures and publications to register protests about policies and leaders. Labor and farm representatives have petitioned to the Parliament concerning alleged government abuses. The media in some cases have informal instructions not to publish the views of or news about oppositionists, and government security officials on several occasions during 1982 forbade opposition figures giving sermons or public speeches.

The press, which is largely privately-owned, is carefully monitored and a system of "self censorship," with journalists and publishers recognizing the limits of permissibility, generally prevails. Journalists complain, however, that in some instances they have been instructed orally by government officials to refrain from reporting certain newsworthy developments.

In 1982, two leading publications had their licenses temporarily suspended for their coverage of national elections. "Tempo," Indonesia's largest circulation weekly news magazine, had its license suspended for eight weeks, allegedly for violating an informal "consensus" on what kind of news was appropriate to report during the election period. Immediately after the election, the Department of Information suspended the publication license of the Muslim daily newspaper "Pelita" after it published unofficial voting results in violation of an instruction that only official vote counts from the Election Institute could be reported. The Muslim daily was closed for over four months and only permitted to reappeared after substantial, government-approved changes were made in its editorial staff.

In September 1982, Parliament passed a new press law which replaced the existing publication permit with a publication business permit. The new law also established a Press Council composed of journalists, scholars, and government officials, which will be empowered to determine what news is put to print. It is unclear how and when the Council will operate. Implementing regulations for the new law have not yet been issued, and it is too early to tell what the impact will be. However, public comment on the press law indicates that publishing concerns are likely to be more careful in screening sensitive press reports and commentary for fear all of their publications might be suspected. On the other hand, the government may be more reluctant to suspend the publishing permits of large media firms because of the likely public reaction against prohibiting publication of non-political publications of these companies.

The Government is sensitive to foreign press coverage of internal Indonesian affairs, and this has led to its refusal to extend residence permits for some foreign journalists. In 1982 the residence permit of the last resident Australian journalist expired and was not renewed, reflecting Indonesian Government pique over Australian media coverage, particularly with respect to East Timor.

The Government censors foreign films and publications. Readers thus occasionally find portions inked out of foreign magazines and newspapers, or certain editions are not circulated at all. Communist writings are prohibited, as are lurid magazines or pictures. Published materials in Chinese cannot be imported, and Chinese characters are blotted out of foreign news photos and advertising. While the Government has permitted former political prisoners to publish articles in leading magazines and newspapers, two books written by one of Indonesia's most prominent novelists, Pramoedya Ananta Toer, were banned and confiscated because of alleged subversive content. On the other hand, a collection of his other writings appeared in 1982 and is freely distributed.

Some government interference with academic inquiry exists, including controls which are exerted during periods of political sensitivity such as election time. During the March-June 1982 election period, foreign and domestic researchers were forbidden to do field work. Some Indonesian academics lost their teaching positions in 1982, apparently because of their participation in oppositionist political activities, and some have been barred from travelling abroad for conferences or study tours. Highly qualified young people seeking to find jobs in the public sector, including state universities, have seen their applications ignored, presumably because of their past involvement in dissident student organizations.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly is limited by government policy. Public assembly is freely permitted for social and ceremonial occasions and, as long as there is no perceived risk of violence, for sanctioned political occasions (e.g., rallies by the three active political groupings). Restrictions on assembly are sometimes tightened during periods of higher political tension or in response to local outbursts of violence (e.g., a brief anti-Chinese riot in South Sulawesi in late November).

Trade unions in Indonesia are accepted because of their long history (since 1908) and respected role in the independence struggle. At the same time, they are suspect by the Government and many private Indonesians because of the almost complete domination of the trade union movement by communists in the late 50's and early 60's. The prevailing view is that trade unionism should not interfere with efforts to promote economic development through industrialization and foreign investment.

At the same time, there is a general recognition among knowledgeable Indonesians that many labor disputes are the result of real economic pressures, trade unions are an important gauge of such pressures, and therefore blanket suppression of trade unions would make such pressures and their consequences harder to foresee and lead to greater instability in the long run. Finally, there is widespread public sympathy, frequently reflected in the press, for the poverty of the Indonesian worker and the efforts of trade unions to relieve it.

Unions in Indonesia have the right to negotiate and organize. The latter is qualified because the national trade union federation and its members were created and are still subsidized by the Government. The Government installs labor leaders of its own choosing, especially at the national level.

Indonesian labor law provides for the right to strike if government permission is granted but the government machinery for handling requests for permission to strike is extremely cumbersome. The practical result is that almost all strikes in Indonesia are technically illegal. Nevertheless, according to ILO statistics, strikes doubled or tripled in 1979-1981. This pattern persisted in 1982. Moreover, strikes are becoming increasingly effective as better-educated and more militant labor leaders appear, especially at the local level.

The Government's reactions to this trend have been variable, cautious, and frequently improvised. It is not unusual for the Government to react by arresting all strikers or by shutting down the union concerned. Generally, however, its approach is to exert pressure on the leadership of the union federation and the relevant national union, on the local government panel for the resolution of labor disputes, and frequently on management. Strike leaders are occasionally detained for a day or two at a time.

Although they occupy their positions at the Government's pleasure, the leaders of the federation and the national trade unions generally see themselves as neither wholly committed to their members' desires and grievances in the Western trade union leader model nor simply as specialized government bureaucrats as in communist countries. Rather, they seek to find a middle way between the demands of government and of the workers. The Government's ultimate control introduces a heavy bias in its favor in this process. This bias, and government's willingness to impose its power, are in turn somewhat restrained because both senior trade union leaders and the Government recognize that the former must retain their credibility with the workers if unions are to be useful in restraining labor disputes. This factor, together with the upward pressure on them from activist local leaders, gives senior trade union leaders considerable incentive and leverage in making government and management take heed of worker problems and demands.

Reliable figures on the unionization of all work force sectors are not available. Government employees, including communications, national airlines, national oil company, and utilities workers, are not permitted to unionize. The following work force sectors are more than 50 percent unionized: textile and garment, chemical and pharmaceutical, metal and ceramic, machine assembly, electronic, oil and mining (private sector), tourism, and merchant seamen.

Indonesian unions are permitted to maintain relations with most international governmental and non-governmental trade union organizations.

Indonesia has in recent years not been censured by the International Labor Organization (ILO). The ILO has repeatedly questioned Indonesia's compliance with forced labor standards in its treatment of political detainees and plantation workers.

c. Freedom of Religion

Religious freedom is guaranteed by the 1945 Constitution, and the first tenet of the five-point state ideology, Pancasila, specifies belief in the Supreme Being. Although the Indonesian population is overwhelmingly Muslim, no discrimination is directed against those of other faiths, and many members of minority religions rank high in government councils. Despite government policies designed to promote religious tolerance, tensions between Muslims and other religious groups occasionally surface.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Exit permits are required of persons leaving the country, but they are usually obtainable without difficulty upon presentation of identification papers, though fee payments are high. There has been some criticism of government denial of exit permits to leading members of opposition groups and dissident academicians.

In 1981, there was a flurry of charges concerning an existing and extensive "black list" of persons prohibited from travelling abroad. In February 1982, a spokesman for the Immigration Directorate General, while not specifically addressing the question of a "black list," confirmed that some individuals were not allowed to leave Indonesia if their overseas activities might, in the Government view, endanger national stability. According to the spokesman, in 1981 approximately 12,000 persons were denied permission to leave the country.

In certain overcrowded areas, the Government requires permits to change residence, primarily to control the further movement of population from the rural areas into the cities. Permits are not difficult to obtain for persons able to prove they have employment. Former detainees are required to notify authorities of travel outside their home areas. There have been charges from abroad that former political detainees associated with the 1965 coup attempt have been forced to participate in government transmigration programs to the outer islands but Indonesia's chief security official has announced that former detainees in fact are discouraged from doing so.

Travel between East Timor and other parts of Indonesia is limited, and a Government permit is required to enter or leave the province. There are also restrictions on movement within East Timor, especially in areas where dissident Fretilin guerrillas are known to operate. East Timorese seeking to leave Indonesia frequently encounter difficulties in obtaining exit permits.

In 1976, following the integration of East Timor into Indonesia, 1,565 Portuguese citizens were repatriated from East Timor. In mid-1982, the list of Portuguese nationals still wishing to go to Portugal contained several hundred persons. Those wishing to migrate to Australia totalled about 150. However, between September 1981 and April 1982, seventy-six Cape Verdians departed, apparently representing all of that nationality who wished to leave. Despite the reduction in numbers of persons awaiting permission to leave, movement of persons within and out of East Timor remains a problem.

A few Indonesians remain in communist countries where they chose to reside after the 1965 upheaval. Permission from the Government must be obtained through Indonesian embassies abroad for them to return home. Such permission is determined on a case-by-case basis.

The Indochinese refugee camp on Indonesia's Galang Island has been developed by the Government and United Nations High Commissioner for Refugees (UNHCR) into an excellent refugee facility. In addition to accepting nearly 74,000 first asylum refugees since 1975 pending their resettlement in third countries, the Indonesian Government has provided one of the region's two processing centers to hold and provide resettlement acculturation for refugees transferred from camps in other first asylum countries and en route to resettlement countries, principally the US. The transfer of refugees to Galang began in July 1980 and has continued with sporadic interruptions when the Government of Indonesia regards its refugee population as growing too fast and requiring larger acceptance rates by resettlement countries. Indonesia has not accepted any Vietnamese for permanent resettlement.

e. Freedom to Participate in the Political Process

Indonesia has a limited representative government dominated by the military. All adult citizens except prisoners and members of the armed forces are enfranchised; 96 out of 460 seats in Parliament are reserved for appointed members of the armed forces, as active duty servicemen are barred from voting or running for office. Elections for Parliament are held every five years, with the last election held in May 1982. The President is elected by the Supreme Consultative Assembly, consisting of the Parliament plus an equal number of appointed members in a special sitting every five years. The next is set for March 1-11, 1983. The 1975 law on political parties limits the number to three: a Muslim party, an association of former nationalist and Christian parties, and the government-sponsored party or "functional group" (GOLKAR). GOLKAR won the 1971 election with 62.8 percent of the vote, the 1977 election with 62.1 percent, and the 1982 elections with 64.3 percent.

Political activity by the parties in the period between elections is centered largely on national and regional legislative bodies because of a prohibition on operations at the village level. This restriction is lifted during the election campaign. The Communist Party and the Masjumi, a Muslim party involved in separatist rebellions in the late 1950's, have been banned. Members of the former and some leaders of the latter are not allowed to run for office.

In the May 1982 election, in which Members of Parliament were chosen on the party list system similar to that of West European countries, over 90 percent of eligible voters participated. All parties were able to present their views and to appeal for public support. East Timorese participated in national elections for the first time.

The balloting on May 4 was generally considered to be open and free of systematic intimidation. There were post-election rumblings about manipulation of vote counts in some areas, particularly Jakarta, but no formal protests were filed.

An informal opposition group consisting of retired military officers, some elements of the Muslim community, and former student leaders, formed in early 1980, continues its efforts to influence the Parliament, and indirectly the public, by submitting petitions critical of government leadership.

Although Indonesian women traditionally are important income earners for their families and modern legislation guarantees them equal treatment, they are still not prominently represented in the decision-making process. There has been improved participation of women's groups in development-related projects involving nutrition, family planning, and home economics. However, no woman has held a full cabinet portfolio since 1966. Although well-represented in the professions (academic, judicial, and medical) they hold only two ambassadorships and no governorships, top offices in the national assembly, or executive positions in provincial governments.

At the rural level, women are giving up traditional economic pursuits, but are not always considered in adoption of modern techniques such as mechanized farming. While Indonesia has comprehensive labor legislation to protect female wage earners, women do not always receive equal pay for equal work.

The Javanese, who comprise about forty-five percent of the total population, have a preeminent role in the country's political leadership as a result of historical and cultural factors. Other ethnic groups are represented at the highest levels of Government, but non-Javanese ethnic groups are generally under-represented in the mid- and lower-levels of the military and bureaucracy. There is deep resentment of the Chinese minority which plays a disproportionately large role in the nation's economic life. This racial tension periodically is translated into anti-Chinese violence, such as occurred in Central Java in November-December 1980 and in Aceh in November 1981 and in South Sulawesi in November 1982. Government regulations prohibit the operation of all-Chinese public and private schools and institutions of higher education, teaching in the Chinese language, the formation of exclusively Chinese cultural groups and trade associations, and the use of Chinese characters on sign boards or in publications. Social groups which may be effectively all-Chinese, associated with Buddhist and other religions, are not proscribed, however.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Government has allowed visits by the ICRC to some prisons and detention centers, and during 1982 allowed additional visits to individuals sentenced for complicity in the 1965 abortive coup attempt. In recent years, Amnesty International representatives have been refused access to Indonesia because of the Government's disagreement with findings of the organization's reports and Amnesty's public criticisms of Indonesia.

In February 1982, three prominent Indonesian human rights activists participated in the establishment of the "Asian Council of Fundamental Human Rights" and in the UNESCO Human Rights Teachers' Association. However, a late April meeting of the Lawasia Human Rights Standing Committee in Jakarta was postponed after government officials, citing election campaign atmospherics, declined to permit it.

Large scale relief efforts in East Timor by the ICRC and Catholic Relief Services have been phased out as a result of improved economic conditions on the island. The ICRC continues to operate programs in East Timor with the Indonesian Red Cross, and the ICRC Jakarta representative has access to the province to oversee these activities. Catholic Relief Services is building an agricultural development project in East Timor, with nearly unrestricted access to the area for the project manager. The United Nations International Children's Emergency Fund (UNICEF) has had a program in East Timor since early 1982. During 1982, the Indonesian Government greatly increased access to East Timor by foreign journalists, academics, diplomats and others.

For the past decade, a private, Jakarta-based Legal Aid Institute has contested human rights violations by defending or representing aggrieved parties in open court and by stimulating press attention and discussion. There are now locally-staffed Institute offices in many larger Indonesian cities, and other legal assistance groups have begun to appear as well. In 1982, the Institute issued the second in what is now considered an annual series of reports concerning human rights developments in Indonesia in 1980.

Indonesia is not party to any of the United Nations human rights conventions except for the UN Convention on the Political Rights of Women, which it ratified in 1958. Although it is not party to the UN protocol relating to refugees, it nonetheless has been generous in providing first asylum to Indochinese refugees and the site for a refugee processing center.

United Nations resolutions have been adopted in recent years, over Indonesian opposition and by annually diminishing margins, expressing concern over the situation in East Timor and reaffirming the right of the people there to self-determination.

Amnesty International in its 1982 report covering calendar year 1981 expressed concern for prolonged detention without trial of Muslim political activists and the treatment of those arrested in connection with the 1965 coup attempt. Freedom House characterizes Indonesia as "Partly Free."

4. Economic, Social, and Cultural Situation.

Indonesia's economic performance since the late 1960's has been impressive: GNP has grown at an average rate of about 7.5 percent; foreign and domestic investment has increased; agricultural production has expanded by four percent per year; the beginnings of a modern industry are now in place; and the basic infrastructure has been improved. Nevertheless, very difficult problems remain. Per capita GNP is still estimated at only around $520 and over 50 percent of the population lives at levels below the World Bank's absolute poverty base. Because of the disruption of World War II, the subsequent struggle for independence, and the emphasis on political rather than economic issues until the late 1960's, Indonesia's infrastructure deteriorated and several indices of economic well-being actually declined from pre-World War II levels. Population pressures have increased, particularly on Java, Bali, and Madura, and, although the birth rate has declined substantially, over-population continues to pose serious obstacles to providing job opportunities for the growing labor force and assuring food self-sufficiency.

Although agriculture is the most important sector of the domestic economy, accounting for over 30 percent of the GNP and employing about 60 percent of the labor force, petroleum exports of over one million barrels a day dominate the external economy. The oil sector generates over 65 percent of the Government's revenues and nearly 75 percent of the nation's gross export earnings. Total oil and gas revenues, however, provide less than $135 annually for each of Indonesia's nearly 150 million people. During 1982, the World Bank announced that Indonesia had moved into the category of middle income developing nations based on per capita income figures.

In 1982, the population stood at 147,755,000. The infant mortality rate has improved from 159 per 1,000 in 1960 to 126 in 1970 and 114 in 1979. Life expectancy at birth was 39 years in 1960, 46.7 in 1970, and 53.1 in 1980.

The island of Java has approximately 80 million people and one of the highest population density rates in the world; 53 percent of rural families on Java are landless. Indonesia's family planning program has lowered birth rates and reduced population growth to less than two percent at present, down from 2.1 percent in 1980. It is also seeking to reduce Java's population pressures and to increase agricultural production through an accelerated transmigration program to the outer islands; nearly five percent of the budget is devoted to manpower and transmigration.

Agricultural output has increased by about 3.8 percent annually during the past decade, one of the best agricultural performances of any major developing country. The percentage of caloric supply available for consumption relative to nutritional requirements has risen from 89 in 1960 to 92 in 1970 and to 105 in 1977. As a result of rising consumption, however, Indonesia remains a large grain importer despite increased agricultural production. During the past few years, the Government increasingly has stressed non-rice production, particularly in areas not suited to rice cultivation.

Development has been hindered by limited availability of qualified medical personnel and health facilities. The ratio of physicians per capita has, however, increased from 1:41,000 in 1960 to 1:12,000 in 1981, with over 1,000 doctors being graduated each year. The number of regional health centers, maternal child health centers, and polyclinics has been increasing. There are now over 4,300 public health centers throughout the country, with at least one in every subdistrict, about 50 percent of which are staffed with at least one physician.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: INDONESIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	196.4	130.0	91.1
LOANS...............	150.9	78.9	59.1
GRANTS..............	45.5	51.1	32.0
A.AID	82.7	68.8	67.5
LOANS...............	54.6	33.9	43.3
GRANTS..............	28.1	34.9	24.2
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	113.7	61.2	23.6
LOANS...............	96.3	45.0	15.8
GRANTS..............	17.4	16.2	7.8
TITLE I-TOTAL..........	96.3	45.0	15.8
REPAY. IN $-LOANS.....	96.3	45.0	15.8
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	17.4	16.2	7.8
E.RELIEF.EC.DEV & WFP.	6.0	7.7	3.1
VOL.RELIEF AGENCY.....	11.4	8.5	4.7
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS.......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER.............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	33.1	32.2	42.2
LOANS...............	30.0	30.0	40.0
GRANTS..............	3.1	2.2	2.2
A.MAP GRANTS..........	1.5	0.4	0.0
B.CREDIT SALES-FMS....	30.0	30.0	40.0
C.INTL MIL.ED.TRNG....	1.6	1.8	2.2
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	229.5	162.2	133.3
LOANS...............	180.9	108.9	99.1
GRANTS..............	48.6	53.3	34.2
OTHER US LOANS..........	97.5	0.0	396.0
EX-IM BANK LOANS.......	97.5	0.0	396.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	1040.9	1013.2	1302.7	7706.8
IBRD	572.0	667.0	846.6	4635.2
IFC	70.3	0.0	4.3	135.0
IDA	162.0	0.0	0.0	941.6
IDB	0.0	0.0	0.0	0.0
ADB	230.8	334.7	451.8	1807.0
AFDB	0.0	0.0	0.0	0.0
UNDP	5.8	11.5	0.0	92.5
OTHER-UN	0.0	0.0	0.0	95.5
EEC	0.0	0.0	0.0	0.0

JAPAN

Japan is a parliamentary democracy in which democratic institutions are firmly established. Its industrial free-market economy is the second largest in the world in terms of gross national product (GNP), with income distribution among the most egalitarian in the world. Japan's culture incorporates many elements from the West while retaining strong Eastern roots. Buddhism and Confucianism continue to have a basic and pervasive influence on thought and social institutions, but many other religions also flourish. Though Japan is known for its receptivity to foreign ideas, as a densely populated, racially and culturally homogeneous country, it has not established a significant record of receptivity to immigrants.

The Japanese Constitution states, "All of the people are equal under the law and there shall be no discrimination in political, economic or social relations because of race, creed, sex, social status or family origin." The human rights guaranteed by the Constitution are secured by a just and efficient legal system. Political liberties are guaranteed to all nationals, and over 70 percent of the electorate usually vote in general elections for candidates from seven political parties which function freely. The right of workers to organize and to bargain and act collectively is guaranteed by the Constitution with about 31 percent of the active workforce belonging to labor unions. Most unions are involved in political activity as well as labor relations.

On January 1, 1981, Japan became a formal party to the United Nations Convention and Protocol Relating to the Status of Refugees. Concurrent legislation expanded pension and health insurance benefits to all resident aliens in Japan under age 35, addressing an issue of concern mainly to the resident Korean community. Though entrenched social attitudes of prejudice against Koreans and persons who for historical reasons have been considered outcasts are slow to change, legal statutes are gradually evolving to grant equality of opportunity. Women's rights are undergoing similar long-term evolution. In order to ratify by 1985 the United Nations Convention on Abolition of Discrimination Against Women, for example, the Japanese Government has drafted legislation aimed at revising the nationality law to give women equal status with men in transferring nationality to their children. In the area of employment, numerous programs instituted by the Government in recent years to assist women in attaining greater equality are slowly showing results.

For most of the post-World War II period, the only allegations of violations to the integrity of the person have been directed at right and left wing terrorist groups, among them the Japanese Red Army. Although members of the Red Army periodically send communiques from Mideast training camps, they have been inactive inside Japan for several years. Isolated small-scale incidents of violence by Red Army splinter groups now constitute the only infringements on the integrity of the person in Japan.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no known cases in 1982 of murder for political motive on the part of the Government or any organization. In the recent past radical groups have murdered members of rival organizations, but this interfactional warring has not affected the general public.

b. Disappearance

There are no known cases in Japan in which people have been abducted, secretly arrested, or held in clandestine detention by security forces or any other organization.

c. Torture

Torture is forbidden by the Constitution and there are no known instances of torture committed in Japan.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Freedom from cruel, inhuman, or degrading treatment or punishment is guaranteed by the Constitution and respected in practice. Criminal sentences do not include physical punishment. There is no evidence that penal treatment varies by social class, sex, or religion. However, foreign prisoners serving sentence, regardless of the severity of their crimes, are detained in maximum security prisons where they are subject to the same strict regime and rules accorded Japanese prisoners sentenced to maximum security imprisonment.

e. Arbitrary Arrest and Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by the Constitution and respected in practice. Japanese law provides for a writ of habeas corpus. Individuals cannot be detained without charge, and prosecuting authorities must be prepared to demonstrate before trial that sufficient evidence exists to detain the accused. Length of time before a suspect is brought to trial depends on the nature of the crime, but rarely exceeds two months; the average is one to two months. Preventive detention does not exist, and no political prisoners are held in Japan.

f. Denial of Fair Public Trial

The Constitution guarantees the right to a speedy and public trial by an impartial tribunal in all criminal cases, and this right is respected in practice. The defendant is made aware of charges upon arrest, and guaranteed a public trial by independent civilian courts with defense counsel and the right to cross examination. Defense counsels have free and private access to defendants without harassment by government authorities, and have the right of access to evidence before the trial after a formal indictment has been made. Defendants also are protected from self-incrimination and the application of ex post facto laws. Judges are appointed by the cabinet for permanent terms, but face periodic "review" through popular referendum. A defendant who is dissatisfied with the decision of a trial court of first instance may, within the period prescribed by law, appeal to a high court as the reviewing court.

g. Invasion of the Home

Under the Constitution, each search or seizure shall be made upon separate warrant issued by a competent judicial officer. Japanese authorities have been scrupulous in observing the legal requirements for warrants. The standards for issuing such warrants are adequate to guard against arbitrary searches. There are no reported allegations of government "bugging" or other violations of the home.

2. Respect for Civil and Political Liberties, Including:

a. Freedom of Speech and Press

These freedoms are guaranteed by the Constitution and respected in practice.

b. Freedom of Peaceful Assembly and Association

These freedoms are guaranteed by the Constitution and respected in practice. Japanese law grants unions the right to organize, strike, bargain collectively, lobby, and make political campaign contributions. Public corporation employees are not accorded the right to strike, but have recourse to mediation and arbitration in the resolving of disputes. The collective bargaining rights of government employees are limited in that members of the armed forces, police officers, and fire fighters are not permitted to organize.

c. Freedom of Religion

Freedom of religion is guaranteed by the Constitution and respected in practice. While Buddhism and Shinto remain the two major religions, others flourish, including 133 Christian denominations. Missionaries are welcome and receive special visa status.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Nationals have the right to travel freely, both within Japan and abroad, to change their place of residence, to emigrate, and to repatriate voluntarily. Nationality is never revoked. As a signatory of the United Nations Treaty on Refugees, Japan grants asylum to Indochinese refugees until permanent homes can be found for them in other countries, and has also begun to allow permanent resettlement of some Indochinese in Japan itself on a limited basis.

e. Freedom to Participate in the Political Process

As a parliamentary democracy, Japan is ruled by the political party able to form a majority in the lower house of its bicameral Diet. The Liberal Democratic Party, composed of several competing factions, has held a parliamentary majority since 1955. Six opposition parties are active, ranging from a communist party to a moderate conservative party. Elections are open and generally perceived as reflecting the public will. All adult nationals have the right to vote. Voting rates for lower House elections generally surpass 70 percent. Vote is by secret ballot. Political interest groups can organize and engage in non-violent political activity regardless of their political hue. Well-organized labor unions play an active role, not only in bringing economic benefits but also in ensuring participation by workers in the political process. Women hold 26 of 754 Diet seats and 4.6 percent of senior government posts.

3. Government Attitude Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

There were no known cases in 1982 of international investigations of alleged human rights violations in Japan. In 1981, the United Nations Human Rights Commission considered and dismissed allegations of human rights violations against Koreans living in Japan. The Japanese government cooperated fully in UNHCR consideration of the case.

There are a large number of private organizations in Japan which are interested in human rights. They mainly lobby against the death penalty, for increased social and economic opportunities for minorities, for certain legal rights denied non-nationals, and for human rights in other countries. The activities of these organizations are not circumscribed and, by keeping their cases before the public eye, they can be credited with helping to refine and expand the boundaries of an egalitarian and democratic society.

4. Economic, Social, and Cultural Situation

Good quality food, shelter, health care, and education are widely available to inhabitants of Japan regardless of race, religion, sex, ethnic background, or political opinion.

Some discrimination against women in the area of employment continues despite its prohibition by the Constitution and the various legislative measures adopted over the past 30 years to accord women the same legal status as men. The Government is cognizant of the problems faced by women in employment and has instituted numerous programs to assist women in attaining greater equality. An expert group on equality of the sexes, established in 1979 by the Ministry of Labor, continues to work on this issue. This group, along with the Women's and Young Worker's Bureau and the Tripartite Advisory Committee on Women's and Young Worker's Problems (both in the Ministry of Labor) is charged with identifying existing areas of employment discrimination and with proposing legislative and administrative measures for achieving equality of opportunity and treatment in employment. The Women's and Young Worker's Bureau also provides counseling and vocational training services and allowances to women experiencing difficulties in entering or re-entering the labor market.

Japan's industrial free market economy is the second largest in the world, after the United States, in gross national product (GNP). Distribution of income is among the most equitable in the world (per capita GNP was US $9,892 in 1980).

The population grew at a rate of 1.2 percent in 1980, reaching 118,305,000 in 1981. The infant mortality rate was 7 per 1,000 live births in 1981 with a life expectancy at birth in 1980 of 75.6 years. With a highly competitive education system that provides nine years of free, compulsory schooling, Japan has a primary school enrollment ratio of 100 percent and has long had nearly total adult literacy (99-plus percent in 1980). The ratio of calorie supply available for consumption relative to nutritional requirements was 134 percent in 1980.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: JAPAN

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
OTHER US LOANS..........	111.5	135.6	0.0
EX-IM BANK LOANS.......	111.5	135.6	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	860.4
IBRD	0.0	0.0	0.0	857.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	2.6
OTHER-UN	0.0	0.0	0.0	0.8
EEC	0.0	0.0	0.0	0.0

KAMPUCHEA

Claims to authority in Kampuchea are divided between the Coalition Government of Democratic Kampuchea (CGDK) and the so-called People's Republic of Kampuchea (PRK). In 1982, as in the previous three years, the United National General Assembly voted overwhelmingly to accept the credentials of the CGDK.

The Coalition Government of Democratic Kampuchea, headed by leading non-communist national politician, Prince Norodom Sihanouk as President and Chief of State, is a coalition between the communist regime which held power from 1975-79 and the non-communist resistance groups created after Vietnam's 1978 invasion of Kampuchea. The non-communist resistance groups include the Khmer People's National Liberation Front, a political body with a philosophy closer to European liberal thought under former Premier Son Sann, and the National United Front for an Independent, Peaceful, Neutral and Cooperative Cambodia under Prince Sihanouk, who earlier ruled as hereditary king. The appeal of Prince Sihanouk's organization centers on the Prince's stature and the group's espousal of Western democratic ideals. The 1975-79 communist regime, styled Democratic Kampuchea, established itself under the authority of the Communist Party of Kampuchea, a Marxist-Leninist organization and better known as the Khmer Rouge. During its rule, the Khmer Rouge dedicated itself to a thorough and brutal restructuring of Khmer society and individual personality. One of history's worst human rights violators, the Khmer Rouge, subsequent to its ouster from Phnom Penh, claimed democratic goals for Kampuchea, and has undertaken a campaign to convince the Khmer that it has given up many of its egregious human rights practices. These moves, however, have not eased the profound alienation between the Khmer Rouge regime and most of the population.

The so-called People's Republic of Kampuchea, installed by the Vietnamese army in the wake of its December 1978 invasion of Kampuchea, claims Marxism-Leninism as its political ideology. Only one political group is permitted--the People's Revolutionary Party of Kampuchea, a communist party whose leadership publicly emerged in May 1981. The regime seeks legitimacy among the Khmer people by promising a return to traditional cultural values, but in the framework of its communist party. Vietnam continues to dominate and control the regime and prevent the Khmer people from exercising their right of self-determination.

Kampuchea's chiefly agricultural economic base had only slowly begun to develop light industry by 1970. Civil war and invasion and the policies of the Khmer Rouge since then have left fewer than 100 small industries open in Kampuchea today. The past dozen years of devastation, both human and material, have wreaked havoc with the economy, made planning a near impossibility, and left all national statistics at best gross approximations.

Foreign pressure has been the prevailing political force in Kampuchea since the 14th century collapse of the monarchy that built Angkor Wat and controlled the states from the South China Sea to what has become modern Burma. The national political tradition bases itself in the memories of the period of greatness, combined with efforts by foreign-backed, competing royal brethren to gain power and recreate that glory. In practice the weakened position of most monarchs left much autonomy to regional governors. The French interregnum of 1863-1953 partially succeeded in restoring the monarchy's prestige despite the contradictory image of the throne as a creature of French indirect rule. The relatively minor efforts at education and sanitation during the colonial period did not touch popular traditions. Outwardly submissive to authority, the Khmer remained self-reliant, individual owner/cultivators, generally polite (which was mistaken for gentleness), with a firm sense of their nation and culture and a self-conscious realization of its past glory and power.

In 1982 human rights violations in PRK areas continued with extensive limitations on civil and political rights. Vietnamese occupation and the lack of self-determination are the fundamental human rights issues. The food situation improved and the material needs of the population promised to ease if conditions of climate proved normal. About 180,000 Vietnamese troops continue to occupy Kampuchea, and an extensive Vietnamese apparatus of advisors supervises the activities of all party, government, and military entities of the PRK. No political parties exist other than the official one, the People's Revolutionary Party of Kampuchea, and the increasing activities of the PRK internal security forces as well as the Vietnamese troops continue to cause anxiety within Kampuchea. Within the PRK areas of Kampuchea and among resistance groups the right to trial does not exist. In Kampuchea political prisons exist in Phnom Penh and in the provinces. Execution without trial has been convincingly alleged by sources in Phnom Penh. Summary execution of "spies and traitors" have reportedly taken place in resistance camps, most notably those of the former DK regime, despite its promulgation of various laws prohibiting this in late 1981.

Since September 1981 new evidence in the form of organic samples has been found in Southeast Asia and lends weight to charges that the Vietnamese allies of the PRK regime are employing lethal chemical/biological agents against DK and non-communist Khmer resistance groups along the Thai-Kampuchean border. (For further information see the Secretary of State's reports to Congress on chemical warfare in Southeast Asia and Afghanistan of March 22 and November, 1982.)

No major changes have taken place in the human rights situation in Kampuchea over the past year. Nor is it possible to see any trends toward an improvement in the state of human rights as long as the country remains occupied by Vietnamese troops and war continues between the Vietnamese and their Khmer allies against the Khmer resistance.

1. Respect for the Integrity of the Person, Including Freedom from:

   a. Killing

Political murder still exists in Kampuchea. The most grievous offender of modern times, the Khmer Rouge, promulgated a law against killing in July 1981 that ostensibly imposes harsher penalities on officials than on other murderers. No official is known to have been tried to date. Reports from Khmer Rouge-controlled areas suggest that summary executions continue for troops accused of having contacts with the enemy and, in certain areas, for desertion. Numbers are not available even as estimates, but Khmer Rouge killings appear substantially reduced from the period when the Khmer Rouge held power. With respect to the PRK, the authority to kill seems to be vested in senior Heng Samrin political and military leaders. Similarly, reports from the non-communist guerrilla zones cite occasional summary executions of individuals believed to be spies. These decisions are those of local commanders apparently without reference to the non-communist political leadership. In Phnom Penh the regime is accused of secretly executing prisoners, but insufficient evidence exists to prove this charge definitively. Show trials have taken place without death sentences being pronounced.

A high percentage of fatalities in Kampuchea are directly or indirectly caused by the warfare between the Khmer resistance on one side and the Vietnamese and their PRK allies on the other. Land mines, some left from earlier days of conflict, are a particular danger to the civilian and soldier alike. The Khmer Rouge have ambushed Soviet workers in Kampuchea and press visitors on national highways. They have injured or killed Heng Samrin regime officials in such attacks as well; most recently the Minister and Vice-Minister of Agriculture were attacked in rural Kompong Cham province. Grenade attacks have taken place in Phnom Penh, which the Khmer Rouge claims as its acts of sabotage. Sources in Phnom Penh, however, ascribe most incidents there to actions of drunk or angry Heng Samrin troops.

b. Disappearance

Reports from Phnom Penh assert Heng Samrin security officials are responsible for regular disappearances. Most of those who disappear are thought to be imprisoned. The treatment of such individuals is harsh. Information is inadequate to say how long they are held. Some newly returned refugees from the Thai-Khmer border are said to be called by the authorities to resettle in new areas on government-prepared land. These people are not heard from again by family, friends, or neighbors. While a problem in the past, there have been very few reports of disappearances during 1982 in Khmer Rouge-controlled areas.

c. Torture

Physical torture has been reported from both rural areas and from Phnom Penh prisons. Humiliations are said to comprise part of the interrogations. Beating appears to be the most common form of PRK torture and has been credibly reported from a variety of Khmer sources and independent investigators. Information is not adequate to comment on the extent of torture in Khmer Rouge areas nor whether it is practiced in the non-communist camps.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

In those few instances where trials are reported, the PRK has meted out long jail sentences, some at hard labor. Conditions in political prisons both in Phnom Penh and in rural areas are harsh. The central prison in Phnom Penh remains a site for incarceration of political prisoners. Earlier reports, including two from former inmates, noted no provision of medical care or medicines, clothing, or soap. Some prisoners, they said, were kept in total isolation and darkness. Some inmates allegedly were beaten to death.

e. Arbitrary Arrest and Imprisonment

A variety of informants claim that arrests take place in the PRK based on regime suspicion that one is a member of one of the resistance groups, refuses to employ a skill in the service of the PRK or seeks to resign for other than medical causes, or is a family member of a person believed to have joined the resistance or be residing in the United States. Political prisoners are said to include not only adults, but also children. Political prisoners are regularly denied the rights to immediate transmittal of records to competent organs for decision. The Constitution requires that trials be open except in those cases prescribed by law, but the Heng Samrin regime gives little publicity to trials that are held. It is estimated that several thousand prisoners are held by the Heng Samrin regime. Little additional information is available from Khmer Rouge zones to add to earlier reports which cited sentences of several days "reeducation" through lectures and incarceration for non-combatants caught trying to flee to Thailand. In mid-1982, the Khmer Rouge permitted a number of their troops and families to leave their zone at Phnom Melai to rally to Prince Sihanouk's forces. Officials in other Khmer Rouge zones have meted out harsh punishment for attempted defections. The non-communist side has briefly incarcerated individuals for civil offenses and at the extreme expels offenders from their camps after a hearing by camp leaders.

f. Denial of Fair Public Trial

Under the PRK Constitution defendants supposedly have the right to counsel and to a speedy trial. It is not possible to state how independent the judiciary is, nor if a judiciary really exists. A court has been named in PRK media for Phnom Penh city, but its activities were only publicized in connection with a show trial for Khmer Rouge urban terrorists in October 1981. Neither the Khmer Rouge zone, nor the non-communist camps have separate judicial systems apart from their civil and military administrations.

g. Invasion of the Home

The PRK Constitution preserves the inviolability of domicile and secrecy of the mails. In fact, local authorities in the PRK, as in the resistance areas, search whenever they wish.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

While PRK constitutional safeguards exist, the press and radio in fact are wholly controlled by the regime. Criticism of the regime is not tolerated, nor are foreign books and periodicals admitted. Networks of informers are believed to exist throughout the country and report to the secret police. A similar situation exists in the Khmer Rouge areas. Criticism is possible in the non-communist areas and mid-level leaders discreetly let their opinions be known, even to outsiders, but caution is the rule.

b. Freedom of Peaceful Assembly and Association

The only associations permitted in the PRK are government-created associations for groups such as farmers, women, and youth. Industries have organized branches of the national trade union, a body which grew out of the "patriotic" association founded in early 1979, the Trade Union for National Salvation. The second-ranking figure in the trade union is a former senior regional official of the Khmer Rouge regime and now a member of the PRK parliament. Labor appears to be totally under the PRK regime's control. The Khmer Rouge and non-communist resistance areas do not have associations or trade unions.

c. Freedom of Religion

The Khmer Rouge dismantled the previous state religion, Buddhism, defrocking some 70,000 monks, forcing many to marry and all to labor, and turning pagodas into warehouses. Since 1979, they have tried to give the impression of reform. They have built pagodas in their zone at Phnom Melai, and in January 1982 welcomed one old and senior monk visiting from abroad. Christianity and Islam were even more ruthlessly suppressed and are not known to have received Khmer Rouge-sponsored revivals in recent years.

In the PRK, the regime has permitted the return of religious practices, but has not reinstituted Buddhism as the state religion. In 1981 the supreme patriarch told journalists that 3,000 monks have been re-robed and 700 pagodas are open. Only men over 50 may officially re-robe or become novices, but a number of younger men have been quietly ordained with the tacit acceptance of local PRK authorities. The supreme patriarch himself is a member of the PRK National Front for Construction and Defense and is vice-president of the National Assembly, elected in May 1981.

Christian groups in the PRK are harassed. The Protestant community of about 2,200 people in 400 families is not authorized to meet, but does so clandestinely. Roman Catholics in Phnom Penh are said to be prohibited from meeting, but one small community in a major rural center is said to have received authorization to meet on Sundays. Non-communist resistance camps afford full freedom of religion.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The PRK and the Khmer Rouge try to control tightly all travel within the regions under their control. In theory passes are required for internal movement between villages under the control of the PRK regime. Checkpoints are ubiquitous in PRK areas and require bribes to cross even with passes in hand, although checkpoints can often be avoided. A system of neighborhood surveillance, modeled after the Vietnamese system, was introduced in 1981. The implementation of these controls is loose enough that thousands of Khmer continue to move around inside the country and to the Thai-Khmer border for trade, looking for missing people or to find the resistance.

Only the very top PRK and Khmer Rouge officials travel abroad. Emigration is not regularized and Khmer seeking to go abroad must flee to the border. The Khmer Rouge have accepted more than 17,000 people back from refugee camps in Thailand since June 1980, and the non-communist sides have taken more than 23,000 including a wave of over 6,000 in the second half of 1982 to camps linked to Prince Sihanouk. The PRK expressed agreement in principle to accept numbers back from camps in Thailand, but has procrastinated, failing to reach actual agreement with the UN High Commissioner for Refugees. More than 80,000 Khmer are still in holding centers in Thailand.

e. Freedom to Participate in the Political Process

The People's Revolutionary Party of Kampuchea, a communist party, controls political life in the PRK. In Khmer Rouge zones, the Communist Party of Kampuchea was formally dissolved in December 1981, but continued as a clandestine entity. In fact, it controls all political, economic, and military life in Khmer Rouge areas. No other choices are possible. In the non-communist zones, the respective political fronts exercise looser control, as their organizations are less disciplined. Both of the communist parties are governed by only about ten people at the top, but there is no doubting the commitment to ideology or the sophistication of understanding of that ideology by their leaders. Political aspirants in the PRK-controlled areas must study the current political dogma, which centers on acceptance of the Vietnamese explanation for Hanoi's dominant position in Kampuchea. Heng Samrin officials in September 1982 promised amnesty and access to full political rights, including the vote, for those Khmer Rouge and non-communists who surrender to Phnom Penh.

Elections in the PRK are not a form of political participation, but rather an exercise by the regime to demonstrate legitimacy through voter activity, and are to underscore the relative status of leaders by varying percentages of the "vote." Reports suggest that in the 1981 national elections percentages were "rigged" and certain victors were named regardless of the number of votes they actually received. Vietnamese district level advisors are reliably reported to have helped validate candidacies at lower level elections. These activities and the overwhelming presence of the Vietnamese army expeditionary force in Kampuchea make a mockery of any suggestion of an open political process in PRK areas of Kampuchea.

In the Heng Samrin areas and to a greater extent in the Khmer Rouge areas, both women and minorities form important parts of the governing structure. The second ranking figure of the PRK regime's party is an ethnic minority, a Thai, and the Minister of Defense is a hill tribesman from the northeast.

3. Government Attitude Regarding International and Non-governmental Investigations of Alleged Violations of Human Rights

Kampuchea has been the subject of intense international attention to human rights violations since 1978 when the United Nations Human Rights Commission and its Subcommission on the Prevention of Discrimination and Protection of Minorities began investigations and accepted documents on the question. In August 1982 that subcommittee's report noted that the presence of foreign forces in Kampuchea raises the question of the Khmer right to self-determination, one of the basic human rights, and that in the absence of self-determination, civil and political rights, in particular, will continue to be violated. The report also deplored the failure of Vietnam and the Heng Samrin regime to admit UN experts to investigate allegations of the use of chemical weapons in Kampuchea. (The three Khmer resistance groups have all cooperated in the UN investigation.)

Amnesty International supported the UN Human Rights Commission effort of 1978 and supplied documents to the subcommittee then. Amnesty's 1981 report centered on the PRK, noting charges of detention without trial for criticizing the PRK regime, and expressing concern at delay between arrest and trial of former PRK officials who spent nearly a year awaiting disposition of their cases. Amnesty's 1982 report, convering 1981, noted a wide range of concerns. That organization wrote to the regime, particularly urging the release of political prisoners and the prohibition of torture.

The International Committee of the Red Cross (ICRC) has tried unsuccessfully to visit prisoners throughout Kampuchea. ICRC reported to its donors in May 1982 that negotiations with Heng Samrin authorities had failed to produce even an agreement in principle for ICRC visits to detention centers in Kampuchea. The non-communist camps along the Thai-Khmer border have substantial daytime presences of voluntary and international organization staff who have intervened in securing better treatment of minorities such as Vietnamese refugees in these camps. Both the Heng Samrin regime and the Khmer Rouge have Red Cross organizations, but neither they nor other groups have a role in the protection of civil and political aspects of human rights.

4. Economic, Social, and Cultural Situation

Kampuchea's economic, social, and cultural situation can only be viewed impressionistically. Statistics are unreliable. Even the population total is a matter of great debate. World Bank figures for 1981 estimated 8.8 million people. The Heng Samrin regime claims 6.7 million, but has produced no census data. In the wake of the past 12 years of civil war, invasion, and purge, and considering the disruption of the administration, statistics on life expectancy, infant mortality, and even the population growth rate have little validity. It is certain that a baby boom is under way, but observers would be well advised to regard as merely educated guesses the official figures for a population growth rate of 3.8 percent (1980), the life expectancy at birth of 33.8 years (1980), and the infant mortality rate of 211.5 per 1000 (1980). Other statistics are based on wartime or Khmer Rouge period estimates and are unreliable. The Heng Samrin regime has embarked on an effort to restructure the society and remold individual personality. Traditional music and dance have returned although certain forms of the latter have been politicized. Emphasis has been given to reopening primary schools and selected university faculties, such as medicine and dentistry. Adult education has also been emphasized. In 1962, the national census revealed an adult literacy rate of 36.1 percent. This has probably worsened, especially during the Khmer Rouge period when schooling was curtailed.

Kampuchea is now even more than before 1970 an agricultural country. Prewar trends toward urbanization were suppressed as the Khmer Rouge forcibly rusticated the entire population in 1975. Since the Vietnamese invasion, urbanization has resumed, but many of the former city people, including Chinese merchants, died under the Khmer Rouge or have fled abroad. Khmer peasants have streamed into Phnom Penh in search of food and work. The emergence of a Khmer entrepreneurial class may occur in the future, if the PRK regime permits such a class to exist and if the Khmer survive competition from Vietnamese carpetbaggers who have flowed into commercial activities in market towns from eastern Kampuchea to Phnom Penh itself.

In the rural areas, the Heng Samrin regime has instituted a system of agricultural collectivization using "solidarity" production teams of about a dozen families to till the main rice fields. The PRK Constitution permits families to own the small plot on which a house and garden exist. Other land is owned collectively.

The health, medicine, and nutrition difficulties of the recent past are slowly being overcome. An inadequate number of Khmer medical cadre at all levels has been supplemented by foreign medical teams. Despite the presence of a small number of foreign volunteer medical workers and reportedly large number of Vietnamese health cadre, medical care even in the best hospitals in Kampuchea is only adequate, and most Khmer have no access to care at all. Kampuchea is subject to the usual variety of tropical diseases and to an especially virulent strain of malaria. Preventive measures for mosquito-borne diseases no longer exist. The most effective fight against disease and parasites is to keep the population well-fed, and with the easing of the food crisis in Kampuchea, this is somewhat easier to do. In 1982 international relief organizations, whose programs were intended to concentrate on traditionally underpriviledged or vulnerable groups like children, widows, and the sick, were not fully successful in persuading the PRK authorities to provide sufficient food to those most in need. Low rice stocks in spotty areas around the country have forced some peasants to move to the border with Thailand seeking food. The emergency relief needs inside Kampuchea that led to the massive international relief operation beginning in 1979 have been judged essentially fulfilled, however, and Western donor countries decided to end the relief operation in the interior of the country in its current form at the end of 1982. The health and nutrition relationship is so closely linked that the situation will be tenuous for years to come and could easily slip back into the perilous conditions of recent years if weather or security deteriorate markedly. Emergency relief needs in Coalition Government of Democratic Kampuchea areas have not yet been met and international donor support is likely continue.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: KAMPUCHEA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	38.3	14.1	3.8
LOANS..............	0.0	0.0	0.0
GRANTS.............	38.3	14.1	3.8
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	38.3	14.1	3.8
LOANS..............	0.0	0.0	0.0
GRANTS.............	38.3	14.1	3.8
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	38.3	14.1	3.8
E.RELIEF.EC.DEV & WFP.	38.3	14.1	3.8
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	38.3	14.1	3.8
LOANS..............	0.0	0.0	0.0
GRANTS.............	38.3	14.1	3.8
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	2.0	5.7	0.0	32.4
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	1.7
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.7	0.0	20.2
OTHER-UN	2.0	5.0	0.0	10.5
EEC	0.0	0.0	0.0	0.0

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA*

The Democratic People's Republic of Korea, which was formed in 1948 during the Soviet administration of the northern half of the Korean peninsula, is a rigid communist dictatorship. Although some internationally respected human rights are acknowledged by the Constitution and laws, individual rights are fully subordinated in practice to the ruling Communist Party, with its overriding aim of imposing a social revolution and enforcing unanimous popular support for the country's governing system and its leaders.

The Government is controlled by the Korean Workers' (communist) Party which, in turn, is under the domination of one man, Kim Il-sung, and his family. The latest Constitution, promulgated in 1972, purports to guarantee a wide range of rights, including: freedom of the press, religion, work, and association, and freedom from sex discrimination. Other provisions of that Constitution, as well as the fact of communist party control, render meaningless most of these guarantees. While there were pro forma elections to the Supreme People's Assembly in February 1982, free elections do not exist in North Korea since citizens have no choice among candidates.

Kim Il-sung has made unification of the divided peninsula, by whatever means necessary, the touchstone of his ideological system. North Korean leaders justify regimentation and militarization of society in the name of reunification.

The North Korean people are subject to rigid control measures. Persons who fail to cooperate with the regime face imprisonment, confiscation of property, or enforced removal to remote villages. Observation by informers is prevalent. Movement outside one's own village requires documented permission. Punishment for "political crimes," (crimes against the state), a recognized category of offenses, can be severe.

The state's intervention in the individual's activities in North Korea goes well beyond those of assembly and expression. The authorities attempt to shape the consciousness of the populace. Pre-school children are drilled in homage to Kim Il-sung and his family, while youths and adults are required to participate in daily ideological training conducted by youth organizations or at places of employment. The propaganda requires rote recitation of party maxims and positions, and strives for ideological purity. The result is that North Korea's society is one of the most highly regimented and controlled in the world today. It is a classic communist dictatorship. At least two North Korean security organizations enforce these controls.

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*The United States does not have diplomatic relations with the Democratic People's Republic of Korea, and thus does not have direct access to information on the situation in North Korea. Because of the closed nature of the society, there was little new information in 1982 on human rights practices in North Korea. Much of this report therefore, is a repeat of previous human rights reports, and is necessarily based on information obtained over a period of time, extending well before 1982. While limited in scope and detail, the information is generally indicative of the human rights situation in North Korea today.

Virtually no outside information other than that approved and disseminated by the North Korean authorities is allowed to reach the North Korean public. Foreigners who have traveled to Pyongyang have been surprised to learn how little the North Korean populace knows of the outside world.

Despite North Korean claims of being a "socialist society," it is not "classless." Security ratings for each person are based on such considerations as class origin, ideological fervor and reliability, and whether any of the individual's relatives or associates collaborated with the Japanese occupation of 1910 to 1945, or have attempted to defect to other countries.

These ratings determine access to the better jobs, schools, medical facilities, and stores, as well as admission to the Korean Workers' Party, the route to the highest levels and privileges of the society. Any individual whose relative or close family associate has settled in South Korea is treated as suspect by the North Korean authorities.

The Sixth Congress of the Korean Workers Party was held in October 1980. This was the first party congress to be held in a decade. Kim Il-sung was "re-elected" President of the Democratic People's Republic of Korea and Secretary General of the Party, and his son, Kim Chong-il, effectively was placed in position eventually to succeed his father. That Kim Il-sung appears thus far able to ensure his succession by his own son is indicative of the enormous power concentrated in his hands over 35 years. The absence of any evidence of public debate is also indicative of the lack of popular participation in the political process. While the Supreme People's Assembly "unanimously endorsed" all the decisions and reports of Kim Il-sung and the Political Bureau of the Central Committee without debate or dissent, the party congress provided another illustration of the total concentration of political power in the hands of Kim Il-sung and a small group of relatives and close associates. This situation is unlikely to change in the near term, and Kim Il-sung is attempting to ensure that the system he has established will endure beyond his lifetime.

1. Respect for the Integrity of the Person, Including Freedom from:

   a. Killing

No reliable information is available on politically-motivated killing in North Korea.

   b. Disappearance

Available information on disappearance is insufficient for useful comment.

   c. Torture

Information on specific criminal justice procedures and practices in North Korea is extremely scarce. North Korea has refused to permit outside observation of its legal system and practices. The accounts provided by the crew members of the USS Pueblo and by Venezuelan poet Ali Lameda, while clearly from an earlier period, comprise virtually all the specific information available on the operation of the criminal justice system in North Korea.

The accounts of torture and beatings of crew members of the USS Pueblo in 1968 are well known and documented. The only other reliable source on prison conditions and treatment of prisoners in North Korea is Venezuelan poet Ali Lameda, who was detained in North Korea from September 1967 through 1974, allegedly for attempted sabotage and espionage. While physical torture was not used on Mr. Lameda, he stated that Korean prisoners were beaten. Lameda noted that "beating was also used as a means of persuasion during interrogation." Further details are not available.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Lameda reported the use of deprivation of food to force "confessions," as well as solitary confinement, continuous interrogation, enforced waking periods, poor or non-existent medical treatment, and twelve hours of forced labor per day. In addition, prisoners were denied family visits, parcels, correspondence, writing materials, newspapers, and clothing changes. Prisoners appeared to be regarded as persons without any rights.

e. Arbitrary Arrest and Imprisonment

North Korean law provides that the period prisoners may be held for interrogation shall not exceed two months. This period may be extended indefinitely, however, if the Interrogation Department obtains approval of the Chief Prosecutor. Lameda, himself, was detained for twelve months without trial or charge. His request for a lawyer of his choice and an open trial were ridiculed as "bourgeois." Habeas corpus or its equivalent does not exist in practice.

Newspaper reports, attributed to North Korean defectors in South Korea whose reliability cannot be determined, estimated in April 1982 that at least 105,000 "ideological offenders" were being held in eight major camps in the North.

f. Denial of Fair Public Trial

The North Korean Constitution states that courts are independent, and judicial proceedings are to be carried out in strict accordance with law. All courts, however, are "responsible" to the people's assemblies, which effectively means total governmental control of the judiciary. Article 138 states that "cases are heard in public, and the accused is guaranteed the right to defense; hearings may be closed to the public as stipulated by law." Lameda was twice denied public trial. After his first arrest he was imprisoned for a year without a hearing; after his second arrest, he was put through a closed session without benefit of counsel of his choice, or even knowledge of the charges. His tribunal was under the direction of the Ministry of Internal Security, with one person serving as both judge and prosecutor.

Lameda stated that, other than to admit guilt, he was refused the right to speak out or defend himself at his trial. His "defense counsel" represented him by making a lengthy speech praising Kim Il-sung and then requesting a 20-year sentence, which the tribunal imposed after five minutes of deliberation.

In a 1979 interview with American journalist John Wallach, North Korean Supreme Court Justice Li Chun-uk noted that, "his (the defense counsel's) job is to give the suspect due punishment." Open court appears to consist of an announcement of the term of imprisonment, which has already been determined by the Provincial Safety Bureau.

g. Invasion of the Home

The Constitution states that "citizens are guaranteed the inviolability of person and residence and the privacy of correspondence." Lameda reported, however, that his residence was not respected, and that listening devices were used against him. He was arrested and his collected papers and poetry destroyed without warrant.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Constitution states that "citizens have the freedoms of speech, the press, assembly, association, and demonstration," and that "citizens have the religious liberty and the freedom of anti-religious propaganda." In fact, North Koreans enjoy none of these rights except in support of government objectives. Other articles of the Constitution which require citizens to follow the "socialist norms of life" and to obey a "collective spirit," take precedence over individual political or civil liberties. Censorship of foreign and domestic media is enforced and no deviation from the official government line is tolerated. Listening to foreign media broadcasts is prohibited and violators reportedly are subject to punishment. Artistic works are controlled by the Government and visitors report that a primary function of plays, movies, operas, and books apparently is to contribute to the cult of personality surrounding "the great leader," Kim Il-sung and his son, "the beloved leader," Kim Chong-il.

b. Freedom of Peaceful Assembly and Association

The Government has developed a pervasive system of informers throughout the society. No public meetings can be held without governmental authorization. Trade unions and professional associations appear to exist solely as another method of governmental control over workers. They have no effective rights to organize, negotiate, or strike.

c. Freedom of Religion

Although freedom of religion allegedly is guaranteed, North Korea, in fact, has severely persecuted Christians and Buddhists since the late 1940's, using enforced membership in North Korean "religious organizations" as a means of identifying and controlling these groups and individuals. The regime uses the remaining organizational facades to proclaim the practice of religious freedom, but has long since purged the membership out of existence.

Religious practice is impossible in North Korea, and persons whose family or relatives once had a strong religious involvement are discriminated against.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Internal travel in North Korea is strictly controlled. A travel pass is required for any movement outside one's home village and is granted only for required official or personal travel. This requirement has been strictly enforced since April 1982. Foreign travel is limited to officials or trusted artists and performers. Emigration is not allowed, and few refugees or defectors succeed in fleeing the country. Retaliation reportedly is taken against the relatives of those few persons who manage to escape. North Korea encourages Korean residents overseas to repatriate to "the Fatherland." Some observers estimate that, since 1959, over 100,000 Korean residents of Japan have voluntarily repatriated to North Korea. After their arrival in North Korea, repatriates are isolated from North Korean society until they can be indoctrinated and their ideological reliability gauged because of their "corruption" by exposure to foreign influences.

North Korea has permitted some overseas Korean residents to return to visit their relatives.

e. Freedom to Participate in the Political Process

The Constitution states that all citizens above the age of 17 may vote and be elected. Political processes in North Korea are dominated exclusively by the leadership of the Korean Workers Party, which is headed by Kim Il-sung, who also heads the Government. The legislature, the Supreme People's Assembly, has never taken any action other than unanimous passage of resolutions presented to it. In an effort to create an appearance of democracy, North Korea has sanctioned several "minority parties." They exist only as rosters of officials who have token representation in the National Assembly and completely support the Government line.

Free elections do not exist in North Korea, although "elections" to the Supreme People's Assembly were held in February 1982. Single candidates were approved by the Government party in each electoral district. According to the Government-controlled media, 100 percent of the voters turned out to elect 100 percent of the approved candidates. Such "elections" in reality are a mandatory exercise in which "voters" are required to participate and to approve candidates selected in advance by the party.

The average citizen is completely excluded from any real participation in the political process unless he becomes a member of the Korean Worker's Party, the selection process for entrance to which is long and rigorous. Even the lower levels of the party have no voice, serving only to carry out the fiats, decrees, and "on the spot guidance" promulgated by the party's leadership, dominated by Kim Il-sung. Individuals from "bad social backgrounds," i.e., those who have relatives who fled south during the Korean war, those whose families had strong religious involvement or were once property owners or members of the bourgeoisie, and those who have relatives who are political prisoners effectively are denied participation in the political process and are discriminated against.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

No organizations exist within North Korea to report on or observe human rights violations. North Korea does not participate in any international or regional human rights organizations. On September 14, 1981, North Korea acceded to the International Covenant on Civil and Political Rights and the International Convenant on Economic, Social and Cultural Rights. Amnesty International has requested a visit to North Korea; the Government has not responded to or acknowledged this request.

Amnesty International in its 1982 report on North Korea, which covers events during calendar year 1981, continues to express its concern about punishment for political offenses and the imprecise definition of such offenses. Freedom House, in its 1982 report, rates North Korea "Not Free," places North Korea in the least free category for political and civil liberties, and sees no prospect of change.

4. Economic, Social, and Cultural Situation

North Korea is a less-developed country with a highly centralized, planned economy. Many observers believe that after a period of rapid growth in the 1960s and early 1970s, the economy has experienced difficulties in recent years due largely to an overemphasis on self-sufficiency, centralized planning, heavy industrialization, and military expenditures. Fifteen to twenty percent of North Korea's gross national product consistently is committed to military expenditures, the second highest such level in the world. This policy has seriously retarded the progress of the civilian economy.

According to World Bank estimates, North Korea's population totalled 18,334,000 in 1981, and was growing at a rate of 2.4 percent. The 1980 infant mortality rate was 34.1 per 1,000 live births, and life expectancy at birth was 65.5 years. There were no estimates available for the percentage of the population with access to safe water or the population below the absolute poverty level. The World Bank's 1977 estimate of the ratio of calorie supply available for consumption relative to nutritional requirements was 121 percent.

North Korea appears to have invested considerable effort and money in developing a comprehensive health care system for its citizenry. Both pre- and post-working age citizens are cared for by the state, and their basic physical necessities reportedly are provided for satisfactorily. Basic food supplies are heavily subsidized and rationed for equal distribution.

Per capita income in North Korea was estimated by the World Bank to be approximately $1,130 in 1979. The party and government elite enjoy significant economic privileges, such as access to special stores and medical facilities, better housing and better education, which are not available to ordinary citizens.

The North Korean Government provides eleven years of compulsory free education to its citizens and claims to have eliminated illiteracy. The World Bank estimated the adult literacy rate at 90 percent in 1970.

The Constitution states that "women hold equal social status and rights with men." Despite this provision, few women reach high levels of the party or government. Women are represented proportionally in the labor force and personnel in small factories are predominately women. Reportedly, women are often paid less than men for similar work.

REPUBLIC OF KOREA

The Republic of Korea has a political system in which the Presidency, with the support of the country's military establishment, is the focus of power. Its elected legislature has grown in influence but continues to be dominated by the executive. The Government is organized under a constitution adopted by referendum in October 1980. Because of the threat from an aggressive communist regime in North Korea, the Government has emphasized external and internal security; its policies in this respect have brought a number of charges of suppression of opposition activity.

The Republic of Korea has a mixed economy, with extensive government intervention to stimulate and influence the direction of the free market system. Over the past two decades the Republic of Korea, with one of the highest real growth rates in the world, has achieved middle income, "middle power" status.

Korea is an ethnically homogeneous nation which, until its division in 1945, had existed as a distinct national entity for many centuries. Surrounded by great powers--China, Japan, and the USSR--Korea has for centuries focused its foreign policy on avoiding subjugation by its larger neighbors. Confucianism, with its emphasis on order and filial piety, retains great strength in Korean society, co-existing uneasily with the Western democratic ideals and industrial age values to which Korea has been exposed in this century.

Since the division of the peninsula in 1945, North Korea has insisted on reunifying the nation, on its own terms and through any means, including the use of military force as it attempted in the invasion of June 1950. North Korean military activities against the South continue, including frequent infiltration attempts by armed commando teams, and the digging of tunnels (three of which have been uncovered) under the Demilitarized Zone separating North from South Korea. The area on either side of this zone is one of the most heavily armed regions in the world. Fear of another invasion from the north is a fundamental factor in South Korean thinking, and successive governments have concluded that for security reasons the Republic cannot afford the "luxury" of dissent and discord which would characterize a more open political system.

Koreans of both sexes participate in institutional politics. Constitutional safeguards against ex post facto laws and double jeopardy continue to be generally observed. The Constitution guarantees freedom of speech and the press, though in practice both are abridged. Prominent politicians and others who have publicly criticized the Government have in some instances been interrogated or charged with crimes. Newspapers are expected to practice self-censorship, and failure to comply with this requirement has led to interrogation of journalists and editors. The law limits the freedom to assemble and demonstrate, and offenders are often detained and charged. Freedom of religious belief and worship is virtually complete, but religious freedom does not extend to churches' involvement in political and social action. There is freedom of movement within the country and, within limits, freedom to emigrate. In July the Government eased controls on foreign travel: except for persons with a history of political opposition, who are considered on a case-by-case basis, Koreans may now travel abroad without restriction.

In late December the Government released from prison former opposition leader Kim Dae Jung and seven other persons who had stood trial with Kim in 1980 (Kim's remaining 16 co-defendants from that trial had been freed earlier). Kim's case had become a rallying point for critics of the Korean Government, and his release had broad symbolic importance. About 70 other prisoners in politically sensitive cases had been freed in two earlier amnesties in 1982, and about another 250 defendants in political cases received reductions in their sentences or restoration of their civil rights during the year. Estimates of those remaining in prison for political reasons range between 300 and 400.

As in previous years, there have been persistent allegations of torture in sensitive political cases. The authorities denied these charges, although in four criminal cases the courts freed defendants after finding that the police had used "illegal duress" to extract confessions. Prison conditions remained spartan, and human rights activists cite mistreatment of two political prisoners, and poor medical treatment of one following a hunger strike, as contributing to the two prisoners' deaths. There were no allegations of murder against the Government in 1982.

Although enforcement of the press law, the law on public assembly and other key laws which impinge on human rights was uneven in 1982, no particular pattern or long-term trend was evident.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There were no reports in 1982 of deliberate killings by the Government, although there were accusations that mistreatment had led to the deaths of persons in custody. In March 1982, an anti-government group firebombed the US Cultural Center in Pusan to protest alleged US support for the Korean Government; an innocent student died in the resulting fire.

b. Disappearance

Except for periods of detention prior to the filing of formal charges (see subsection "e", below), there were no cases of disappearance in 1982.

c. Torture

The Constitution prohibits torture. Confessions determined to have been induced by duress are inadmissible in the courts, and a confession alone is not legally sufficient to secure a conviction.

Despite these legal protections, there continue to be frequent claims that persons accused in politically sensitive cases are routinely tortured, both psychologically and physically, in initial interrogation by police and also later, when the investigating agency is building its case. Reports on four specific cases in 1982 were sufficiently widespread and persistent to warrant citation:

(1) The most persistent charges of torture in 1982 involved the defendants in the arson attack at the American

Cultural Center in Pusan. These defendants readily admitted arson, but claimed they were tortured while being questioned about their political motives. While they initially told the prosecution in their public trial that they had not been tortured, they later changed that testimony, insisting they had been subjected to beatings and other forms of duress.

(2) An unemployed politician, Ki Chong To, claimed in a letter dictated from a hospital, shortly before his death there, that the police had beaten him for five days to extract a confession, and that those beatings and poor medical treatment were responsible for his serious condition.

(3) The police allegedly used severe abuse in interrogating a number of students accused of prohibited political activity at Pusan National University.

(4) In a case adjudicated in January 1982, the police allegedly tortured a publisher, Lee Tae Bok, and several of his associates prior to their trial for seditious activity. The Korean National Council of Churches petitioned the President to protest the alleged torture. The Home Ministry, replying on behalf of the President to the church leaders' petition, neither confirmed nor denied the allegations of torture.

Although the Government insists that strict injunctions against torture have been issued by the very highest authorities, and that those injunctions are strictly enforced and violations of them sternly punished, reports of torture nevertheless persist. In four non-political criminal cases in 1982, the courts acknowledged the occurrence of torture. In the first, the court ruled that evidence had been illegally obtained under "physical duress" and acquitted that defendant. In another case, the court rejected evidence it said had been obtained under duress. In a third case the prosecutor, and, subsequently, the Minister of Home Affairs, in an interpellation in the National Assembly, admitted that the police had tortured a suspect, who was then freed. The policemen involved in that case were fired and were later booked on criminal charges.

All of these cases received wide publicity. In a less-publicized incident, the Supreme Court in November remanded a case to a lower court which, noting the Supreme Court's finding that the defendant's confession had been obtained by torture, dismissed the charges against him.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Prison conditions are spartan and discipline is strict, but, aside from penalties for violating prison regulations, prisoners normally are not subjected to physical punishment. In an atypical case, mistreatment and poor medical care allegedly caused the death of a prisoner in Kwangju in October 1982. The Government does not allow prisoners to receive visits except by their lawyers and immediate family members. On some occasions the police have blocked access to persons by placing them under house arrest. There does not seem to be a difference in the treatment of political and non-political prisoners, though the authorities have occasionally allowed special provisions for political prisoners such as heaters during the winter or examination by outside physicians. There is no apparent difference in the treatment of prisoners on the basis of social class, race, or sex.

e. Arbitrary Arrest and Imprisonment

Korean law requires that, within 40 days after making an arrest, the police notify an arrested person's family of his detention and whereabouts. The police normally wait at least several days, and occasionally more than 40 days, before complying with this requirement. The Korean Constitution guarantees the right to prompt legal assistance, and the right to request court review in case of arrest. For persons deemed "socially dangerous," the law allows for preventive detention under provisions of the social protection and social stability laws. Detention is for a fixed term, which, however, a judicial review panel may extend for periods up to 10 years.

The Government declared three prisoner amnesties in 1982. In December, Kim Dae Jung was freed and allowed to depart Korea. A prominent opposition politician, Kim had been imprisoned since May 1980 on sedition charges which many believe were never substantiated. Of the 23 persons tried and convicted with Kim, seven were freed with him, the others having been freed earlier. Originally condemned to death, Kim had had his sentence commuted, first to life imprisonment and later to 20 years. As long as he remained imprisoned, his case had served as a rallying point for critics of the Korean Government. In addition to Kim and his associates, about 70 other prisoners in political cases were freed in 1982. About 250 others benefited from amnesties during 1982, by having their sentences reduced or their civil rights restored. Estimates of those remaining in prison for political reasons range between 300 and 400. Amnesty International reported that in 1981 it worked on behalf of about 300 Korean "prisoners of conscience." The Korean National Council of Churches' Human Rights Commission stated in November 1982 that there were 417 political prisoners in Korea (of whom 48, including Kim Dae Jung, were amnestied in December) as compared with 272 in late 1981.

f. Denial of Fair Public Trial

The Constitution guarantees many rights of defendants: the right to presumption of innocence; the rights against self-incrimination, ex-post facto laws, and "double jeopardy"; the right to a speedy trial; and the right to legal counsel. These rights are generally observed, although there have been cases in which defendants in politically sensitive trials have not been able to obtain lawyers--whether because of government pressure or reluctance on the part of lawyers to accept such cases is not clear. Charges against defendants in the courts are clearly stated.

The President appoints the members of the Supreme Court, whose chief justice in turn appoints lower level judges. The judiciary is considered independent in ordinary criminal and civil cases, but much less so in politically sensitive cases.

The same courts try political cases and ordinary criminal cases. The military courts do not try civilians. Defendants have the right of appeal in felony cases, a right which is often exercised and frequently results in substantial reductions in sentences. Death sentences are automatically appealed.

g. Invasion of the Home

The Constitution requires a warrant, issued by a judge upon request of a prosecutor, for search and seizure in a residence. However, there have occasionally been credible charges that police have forced their way into private homes without such warrants. There have also been charges of "bugging" or surveillance of homes. Koreans who meet with foreigners, particularly officials of foreign embassies, are often questioned by security officers about these meetings.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech and press are guaranteed by the Constitution, though the laws are drafted and applied in such a way as to severely limit the expression of opposition viewpoints. In 1982, a former opposition leader was placed under house arrest after granting interviews with foreign reporters in which he criticized the Government. Another opposition leader, who criticized the Government sharply in a speech in the National Assembly, was subsequently jailed on adultery charges which observers agreed were a political reprisal. Communist or socialist themes are strictly forbidden in books and artistic works. Academic freedom is subject to some political limitations, and about 80 professors who lost their jobs in the political upheavals of 1980 remain out of work.

The domestic media are subject to self-censorship, according to press guidelines the Government periodically distributes to editors. Journalists who ignore these guidelines or who in the view of the Government go too far in their criticism have been picked up for questioning. The Government has generally been reluctant to grant visas and residence permits to foreign journalists. A Christian youth activist was sentenced to 18 months imprisonment in October 1982 on charges of slandering the Government in an interview with foreign reporters. This was the first case brought under a 1975 law against criticizing the Government to foreigners. The Government routinely opens some persons' mail. The Christian Broadcasting Service is barred from accepting commercial advertising, a stricture which places it in a precarious financial position.

b. Freedom of Peaceful Assembly and Association

The penalties for violating the Law on Assemblies and Demonstrations, which forbids holding gatherings "likely to undermine public order or cause social unrest," range up to a maximum of seven years in prison and heavy fines. There may be as many as 250 people in custody (not all formally charged) for violating this law. The police may enter areas and buildings where illegal gatherings are taking place, and also intervene in outdoor gatherings. The police broke up a number of campus demonstrations in 1982 and also prevented the holding of several meetings concerned with human rights or trade unionism.

Labor unions are confined in scale to the level of individual enterprises and may not receive outside aid even from their national federations. Union shop provisions in contracts have been ended. Other restrictions on union leadership and finances have further reduced unions' independence. Collective actions and strikes are technically legal but very difficult to organize and carry out. Unions are banned in the public sector and certain key industries. The authorities have mounted a determined campaign to discredit such labor-oriented religious organizations as the Young Christian Workers and the Urban Industrial Mission.

Union membership reportedly is increasing slowly, after an estimated 12 percent drop in 1981 in the wake of the implementation of new labor legislation. About seven percent of all Koreans employed are now union members, including 50 percent in the mining and 15 percent in the manufacturing sectors. The Federation of Korean Trade Unions is affiliated with the International Confederation of Free Trade Unions, and its member unions are affiliated with recognized international trade union federations. In 1982, for the first time, a Korean observer delegation was invited to the annual International Labor Organization convention.

c. Freedom of Religion

There is no state-favored religion in Korea. Church activities, other than those the Government considers politically oriented, are virtually unfettered. There is complete freedom of proselytizing, doctrinal teaching, and conversion. Minority sects are not discriminated against, and adherence to a faith does not confer advantages in civil, military, or official life.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There is essentially complete freedom of movement within South Korea, and the Government does not discriminate against prospective emigrants. Most people can obtain a passport, except for criminals or, in some cases, those considered politically suspect. Some former political prisoners, and persons who are currently banned from political activities, were for the first time permitted to travel abroad in 1982. Similarly, the authorities in 1982 allowed many expatriates, who for years had been barred from Korea because of their past political activities, to return to and remain in the country.

Over 600 Vietnamese boat refugees have arrived in South Korea since 1977. Refugees awaiting resettlement reside in a camp in Pusan. They may not settle in Korea permanently, and are cared for through the auspices of the Korean Red Cross. The time between arrival of refugees in Korea and their resettlement abroad has varied between six months and two years.

e. Freedom to Participate in the Political Process

The President, supported by the military, is the dominant factor in the Republic of Korea's political system. Participation in the political process is governed by a series of electoral laws enacted under Presidential sponsorship just prior to the lifting of martial law in January 1981. Under these laws, all existing political parties were dissolved and new ones formed, of which eight survived the 1981 National Assembly elections. With the exception of 567 persons, mostly former opposition figures, who in 1980 were banned from all political activity for eight years, Koreans are free to belong to and participate in the activities of political parties. However, these parties have had difficulty attracting mass followings, at least in part because their independence is limited: the Government may dissolve any party it deems contrary to "basic democratic order," and the electoral laws put time and fiscal constraints on campaigning which cause all parties, and particularly the opposition, significant difficulties in publicizing their candidates and presenting their programs.

The 276-member National Assembly, though politically weak, showed significant new assertiveness in 1982, and is important as a forum for expression of divergent views of the Government's programs. Moreover, the members of the Assembly are the only directly elected officials in Korea. The electoral laws passed in 1981 established a proportional representation system that reserves 92 of the Assembly's 276 seats for members appointed by their parties, with two-thirds of those seats awarded to the party which gains a plurality of the popular vote. The elections in March 1981 were reported to be largely free of voting irregularities, and 78 percent of the eligible voters participated. The authorities restricted who might run but did not interfere with the balloting or vote-counting. Of the 184 elected Assembly seats, the Government's party ran candidates for 92, of which it won 90. Under the proportional representation system, the Government's party was accordingly awarded 61 proportional representation seats, giving it a comfortable majority in the National Assembly. Opposition parties and independent candidates divided the remaining seats.

Criticism of the Government, much of it strong, occurs in the Assembly. When the Government and opposition parties cooperate, the Assembly has succeeded in forcing the Government to modify policies. However, strong opposition to the Government can be dangerous, as in the previously-cited case of an Assemblyman jailed for adultery in the wake of a critical speech.

Women are free to vote, become government officials, or run for the National Assembly; women hold eight Assembly seats (all but one appointed by their parties). In practice, the power structure remains male dominated.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Republic of Korea does not belong to any international human rights bodies and does not welcome outside involvement in the human rights area. It tolerates the existence of domestic human rights groups, but closely monitors their operations. There were no formal government-sanctioned investigations into human rights in 1982. The state of human rights in Korea drew criticism in 1982 from such groups as Amnesty International and the World Council of Churches. In its 1982 report, Amnesty International expressed concern for the existence of "prisoners of conscience" and reports of ill treatment and torture of political prisoners. Freedom House, in its 1982 report, classified the Republic of Korea as "Partly Free." The Korean government has not publicly reacted to or attempted to rebut criticisms from any of these organizations.

The Republic of Korea engaged in no discussions or negotiations in 1982 with international human rights groups. It did cooperate with the UN Commission on Human Rights, which in 1982 decided to discontinue its consideration of the human rights situation in the Republic of Korea, a matter which had been brought to its attention under the confidential 1503 procedures. The Korean Government permitted visits by members of international organizations concerned with human rights, such as the US National Council of Churches. The Government has complained that members of these groups sometimes engage in activities in substantial violation of their visa status, and on such grounds it revoked the visas of two US National Council of Churches staff members who had visited Korea in August 1982 to investigate a labor dispute involving an American company.

There are no government groups charged with the protection of human rights, although political parties and the National Assembly have committees which are concerned with oversight of some aspects of the issue. A number of private organizations are also active in this area, chiefly the Human Rights Commission of the Korean National Council of Churches, the Catholic Justice and Peace Committee, and a legal aid center in Seoul run by a prominent woman lawyer. The Human Rights Commission works closely with the World Council of Churches overseas. The Commission and other human rights organizations submit petitions to the Government and make their views known both internally and outside Korea. Most observers believe these organizations have been relatively effective in furthering their aims, depending on the issue. People working with these groups are sometimes questioned by the security forces, though apparently none have been arrested in the past several years.

4. Economic, Social, and Cultural Situation

The Republic of Korea has a mixed economy with extensive government intervention to stimulate the free market system. Economic and social development during the last two decades has been extraordinarily fast-paced: per capita GNP increased from $180 in 1960 to $410 in 1970 and $1,523 in 1980.

As in most traditional Asian societies, males tend to be the main breadwinners and property owners; however, there is relatively less official discrimination against women today than at any other time in Korea's long history.

A series of major revisions to the legal code in recent years have given women rights in inheritance, child custody, family headship, and other areas which law and Confucian tradition had long denied them. Women enjoy full access to educational opportunities at all levels. They are increasingly represented in the military, the police, the civil service, and the professions, and hold a variety of positions in private industry. They are not legally protected against discrimination in hiring, pay, or advancement, and these remain problem areas. Korea has not developed a politically powerful feminist movement.

There is no racial or religious discrimination in the economic sphere. The right to own property, alone as well as in association with others, is protected under the Constitution.

Korea is one of the most densely populated countries in the world. With little arable land, it supports a population of nearly 40 million. The population growth rate has dropped from 2.7 percent in 1970 to 1.6 percent in 1981, thanks to concerted efforts by the Government to popularize family planning.

Improved health care and nutrition were responsible for increasing Korean life expectancy from 54.2 years in 1960 to 65.4 years in 1980. By 1981, infant mortality had declined from 62 to 37 deaths per 1,000 live births. Access to safe drinking water increased from 12 percent of the population in 1960 to 71 percent in 1979. Caloric intake increased from 94 percent, in 1960, to 119 percent, in 1977, of minimum nutritional requirements.

Education receives high priority in government policy. The adult literacy rate has increased from 70.6 percent in 1960 to 93 percent in 1978. Primary school education is universal for both sexes, and government statistics indicate that over 90 percent of elementary students enter secondary school. Entrance to institutions of higher education is very competitive, and only about 50 percent of those who wish to attend are able to enter. There is a substantial measure of social mobility based on the merit system in education and employment. There is no national unemployment insurance plan.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: KOREA, REPUBLIC OF

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	30.8	27.6	0.0
LOANS..............	28.5	25.6	0.0
GRANTS.............	2.3	2.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	28.5	25.6	0.0
LOANS..............	28.5	25.6	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	28.5	25.6	0.0
REPAY. IN $-LOANS.....	28.5	25.6	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	2.3	2.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	2.3	2.0	0.0
PEACE CORPS......	2.3	2.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	130.5	162.7	167.4
LOANS..............	129.0	161.5	166.0
GRANTS.............	1.5	1.2	1.4
A.MAP GRANTS..........	0.5	0.1	0.0
B.CREDIT SALES-FMS....	129.0	161.5	166.0
C.INTL MIL.ED.TRNG....	1.0	1.1	1.4
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	161.3	190.3	167.4
LOANS..............	157.5	187.1	166.0
GRANTS.............	3.8	3.2	1.4
OTHER US LOANS..........	322.1	276.9	58.7
EX-IM BANK LOANS.......	272.7	275.9	58.7
ALL OTHER...............	49.4	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	652.9	533.6	606.5	5460.7
IBRD	419.0	390.0	470.0	3805.0
IFC	5.5	9.5	1.7	127.4
IDA	0.0	0.0	0.0	115.6
IDB	0.0	0.0	0.0	0.0
ADB	225.6	133.5	132.2	1366.0
AFDB	0.0	0.0	0.0	0.0
UNDP	1.3	0.6	0.0	31.3
OTHER-UN	0.0	0.0	2.7	15.4
EEC	0.0	0.0	0.0	0.0

LAOS

The Government of the Lao People's Democratic Republic came to power in Vientiane in December 1975 and calls itself revolutionary and socialist, basing its legitmacy on "Marxist-Lennist" ideology. Its leaders grew up under the political wing of Ho Chi Minh and remain dependent on Vietnamese and Soviet military and economic support to stay in control. Its efforts to accommodate itself to economic and political norms that it considers "Marxist-Leninist" give rise to an unsatisfactory human rights situation in Laos.

The population of Laos is officially estimated at 3.8 million. The ethnically diverse peoples of Laos are thinly scattered over more than 91,000 square miles of generally rugged terrain. They share few common values. National institutions in Laos remain weak. There is no constitution or codified body of law. The Government has never even attempted to conduct "Leninist style" elections.

Laos is an extremely poor and backward country. France controlled Laos until 1954, and it made only minimal development investments within Laos. Since 1954, Laos has found itself on the frontier of the communist and non-communist worlds and between major regional rivals, Thailand and Vietnam. As a result, parts of Laos were long fought over, and conflicting loyalties have produced a problem of serious internal factionalism. Today, continuing regional and domestic political tension, low-level guerrilla activity, and poor economic conditions contribute to a siege mentality and to an atmosphere of suspicion on the part of the narrowly-based Lao Government.

The United Nations is investigating charges that biological/chemical weapons have been used against Hmong tribespeople in Laos by the Government or its communist backers. New organic evidence has brought greater credibility to these charges.

Upon taking over in 1975, the new regime arrested significant numbers of royal Lao Government officials for "reeducation" in camps remote from the capital. Some of these officials died in captivity and others are still being held. Although many officials of the Royal Government remained at their posts through the transition and continue to do so, the arrests frightened numerous individuals and families of the small middle class, which also included Chinese and Vietnamese urban traders and artisans. Since 1975, there has been an exodus of over 300,000 persons (or nearly eight percent of the population). The departure of a significant number of the skilled middle class has held back economic progress.

Given the Government's preoccupation with political and military security, the extremely small number of trained people available to it, and its mistrust of many of the educated persons who have remained in the country, it is not surprising that the Government's weak administrative structure has made little headway in solving many of the serious problems facing the country. The nation's mountainous geography, pronounced ethnic cleavages, and a general apathy among the populace with respect to their future economic well-being all make progress difficult.

The Government, regarding itself as "revolutionary" and claiming to be interested in the advance of whole classes of people, manifests little solicitude for individual human rights. The individual citizen is prey to the designs of the state and the Communist Party, as well as to capricious officials. Nothing resembling a bill of rights exists in Laos. Lao culture itself, however, has a broadly humane streak, and this factor tends to mitigate somewhat the problems faced by the individual. The communist takeover in Laos was accompanied by far less violence against traditional cultural values than was the case elsewhere in Indochina.

There has, in recent years, been limited improvement in some aspects of human rights in Laos, though very serious shortcomings persist. The Government has modified some of its restrictions on small business, and noticeably fewer individuals are removed for re-education. There also appears to be a recent increase in emphasis on satisfying consumer requirements.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There are few cases of homicide resulting from passion or ordinary theft in this Theravada Buddhist country. There are, however, some reports of fatal shootings by Lao Government and Vietnamese patrols of persons seeking to flee to Thailand and of persons discovered attempting to enter Laos surreptitiously--usually smugglers or suspected resistance elements. There are also a number of people killed annually in combined Lao/Vietnamese military operations against resistance elements within the country. There are recurrent reports of attacks on vehicles bearing Government officials and ordinary buses in isolated areas which have involved killings. These are attributed to resistance elements, but--in the cases of attacks on buses--have also involved ordinary robberies.

b. Disappearance

Although there were numerous cases of secret arrest and undeclared removal to so-called re-education camps in the first two to three years of the present regime, disappearance has been reported only rarely in the last several years.

c. Torture

There have been no reports of torture for the past three years.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Refugees have reported that conditions in re-education camps for political prisoners vary from camp to camp, but all are primitive and have limited medical facilities and poor food. These sources state that the prisoners reportedly receive the same salary ($1.50 per month) as a private in the Lao army. Families are generally able to exchange letters with detainees; in some cases, wives are allowed to join husbands at the camps for extended periods. Former inmates report that punishment for misbehavior can include brutal public beatings, shackling, deprivation of food, and sometimes, for those who try to escape, execution. Lao government officials have publicly denied reports of mistreatment of persons in the re-education camps.

Laos also has normal prisons and prison work camps where those awaiting conviction or convicted of crimes are held, together with persons accused of undefined political offenses. Conditions are said to be spartan. There were a number of reports of capital punishment in the first years after 1975, but in the last two years reports indicate only a few such executions; these were for escape attempts from re-education camps and for treason and robbery. Official policy calls for execution of the leaders of resistance groups, but there have been no reports of executions in 1982.

e. Arbitrary Arrest and Imprisonment

The Lao Government continues to maintain a multilayered system of re-education, rehabilitation, and labor camps throughout much of the country; figures on those incarcerated are unavailable. Not long after the establishment of the present regime, several thousand Lao citizens (as well as a few foreign residents) were arrested for their association with the previous Government or the United States. They were sent, without public hearing or trial, to remote camps for reeducation. These camps exhibit differing degrees of isolation and coercion, but here, too, precise information is lacking. No exact information is available on how many camps remain open or the population of those camps.

The reeducation camps in Phong Saly were closed in early 1979 and most of the camps' inmates released, thus reducing the number of those in captivity to some extent. Since then, at least two more camps have been closed. People continue to be released from the remaining camps, but some are then required to remain in remote parts of the country. There is said to be a "special camp" located close to the Vietnamese border for persons who are resistant to re-education.

Those accused of hostility to the regime or of socially undesirable habits (prostitution, drug abuse, idleness, and "wrong thought") are sent to rehabilitation centers, usually without trial, although Government regulations provide that a person may not be held for more than three months before charges are brought. Most of these persons have been allowed to return after periods ranging from a few months to several years of hard labor, political indoctrination, and admission of guilt. Under the Government's concept of justice and in the absence of a constitution or a codified body of law, those undergoing reeducation or rehabilitation are not necessarily charged with specific crimes.

f. Denial of Fair Public Trial

The Lao have promulgated interim rules and regulations for the arrest and trial of those accused of specific crimes, including armed resistance to the Government. These regulations were disseminated to local authorities in October 1978, primarily to correct the haphazard way in which lower-level authorities were handling their criminal and judicial duties. Even if these regulations were always followed, however, they would provide no real opportunity for the accused to defend himself. Rather, the Government has issued instructions on how to investigate, prosecute, and punish wrongdoers. These instructions are applied capriciously. There is some provision for appeal, with the key exception that important political cases tried by people's courts are without appeal. Death sentences must be approved by the Council of Ministers.

Lao regulations call for judgment to be given in public. This constitutes, in effect, a public announcement of the sentence; it is not a public trial.

The Ministry of Justice reportedly has been engaged in drafting a constitution, and there have been indications that the task may be nearing completion.

g. Invasion of the Home

Government regulations require orders from the prosecution department, Ministry of Justice, or from the concerned provincial prosecution service for search of private homes. The search is supposed to be conducted in front of the accused or other witnesses and a written inventory made of confiscated goods. Except in urgent cases, house searches are required to be conducted during the day. In practice, these limitations are sometimes violated. Even in cases in which they are followed, they provide little protection from the individual since search and seizure are authorized by the security bureaus themselves rather than by an impartial judicial authority. Realizing that he has no guaranteed recourse under the law, a person whose home has been arbitrarily entered and searched will, if not arrested on the spot, often attempt to flee the country.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Lao press is entirely government-controlled. It is described as an instrument for dissemination of government and party positions. Written or spoken opposition to the Government is not considered a legitimate activity. Some persons who have engaged in such activity have been jailed. Most Lao are intimidated by threats from the Government into avoiding discussions or associations with foreigners.

b. Freedom of Peaceful Assembly and Association

Assembly is entirely at the whim of the authorities and, except for religious and athletic events, occurs only at official behest. There is no meaningful unionization and no structured grievance system. All professional groups are organized into associations or federations, but these are basically creatures of the Communist Party; the groups' leadership is ordinarily drawn from Party ranks. While there is a state-controlled trade union movement and directives that provide for certain minimal work conditions, their application is whimsical. If the authorities attach a special priority to a task, workers can be driven without regard for minimum standards.

c. Freedom of Religion

Traditionally, Laos has considered itself a Buddhist nation with only a few adherents to other religions. The Government has taken over some Buddhist and Christian places of worship for use as seminar halls or warehouses. Otherwise, the practice of Buddhism and Christianity has been allowed to continue relatively freely. The Government has begun a long-term effort to subvert the role of religion--in part because it considers the maintenance of temples and the activities of monks non-productive. It does this by carefully controlling the induction of young monks and by compelling the Buddhist clergy to propagate some aspects of Marxist-Leninist doctrine. Monks are the only remaining social group still entitled to special honorifc terms of address. Religious festivals are permitted to take place without hindrance. Young people continue to engage in religious activities on a large scale, but entry into religious orders is not encouraged.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Lao citizens are required to seek permission from the authorities for all internal travel of any distance and in all cases when crossing provincial boundaries. Permission for internal travel was tightened during the second half of 1982 in the wake of increased insurgent activity in the countryside. A curfew exists in the capital and other major cities. Its terms change from time to time, as does its enforcement. Government officials have cited threats of "disorders" created by "reactionary" elements as the reason for the restrictions.

Foreign travel is permitted for officials, students in government-approved programs, and the few who have foreign exchange. Border crossing permits are available for those with business in Thailand. Although the Lao Government has said that those wishing to emigrate will be allowed to do so, as a practical matter legal emigration is rarely authorized for ethnic Lao and reportedly involves substantial payments when it is. In fact, tens of thousands have fled Laos clandestinely. Since 1975, about 280,000 Lao have been registered as refugees in Thailand; it is likely that a significant further number have slipped into Thailand without registering.

Some of those fleeing are fired upon and some killed by Lao, Vietnamese, or Thai border patrols as they attempt to cross the river. Many Lao caught seeking to leave illegally have been imprisoned although in some cases they have only been sent for short indoctrination seminars and then released. The Lao and Thai Governments have agreed to take back, on a case-by-case basis, those of its citizens who have illegally crossed into the other country and wish to return home. Since May 1980, when agreement was reached with Thailand and the United Nations High Commissioner for Refugees (UNHCR) on a voluntary repatriation program, over 1,800 Lao refugees have voluntarily returned to Laos under the auspices of the UNHCR. Upon return, the homecomers receive several days of political indoctrination and are then released to return to their homes, where they are placed under control of village authorities. UNHCR provides basic necessities upon immediate return and monitors treatment and living conditions thereafter. There appears to be no pattern of official harassment or maltreatment of these voluntary returnees although reportedly a few of some 300 hill tribe refugees who were forcibly repatriated from Thailand in June 1982 were arrested.

e. Freedom to Participate in the Political Process

There is no freedom to participate in politics in Laos outside of the one government party. Local elections were held by the new authorities in the autumn of 1975 before the actual establishment of the present Government. Voters in villages and districts were allowed a choice from a list of candidates who had been pre-selected by the state/party organization. Provincial and national representatives were reportedly chosen by those locally elected officials, although the latter process was not made public. There have been no national elections held (or even discussed) since the Government was established in December 1975.

Approximately half of the population in Laos are ethnic Lao, also called "lowland Lao"; 20 percent are tribal Thai; and 15 percent Phoutheung (or Kha); mountain tribes constitute another 15 percent (Hmong, Yao and others). The Lao Government is attempting to overcome traditional antagonistic lowland Lao attitudes toward minority groups (and vice versa) and to integrate these groups into the Lao nation; this reportedly sometimes requires coercion such as forceable relocation of minorities.

There is no evidence that the Government is seeking to destroy any entire ethnic group, per se, such as the Hmong (Meo). The Hmong themselves are split along clan lines. Many were strongly anti-communist, but others were on the side of the Government and the Vietnamese. The Government is repressive toward all groups that fought against its takeover and most especially toward those who continue to resist its authority by force of arms. The war with the Hmong resistance group has been brutal; but the main difference between the Hmong and other resistance groups is that the Hmong have strong military traditions, and some have attempted to defend specific tribal areas. There is a traditional ethnic antipathy between the lowland peoples, like the Lao, and the highlanders, like the Hmong. Because the latter were heavily armed, the Vietnamese and local armed forces have conducted military operations to dislodge Hmong fighters from their strongholds.

The Government would like to resettle some ethnic minorities who now inhabit mountainous areas in the lowlands, where they would be under better government control and where they could engage in settled agricultural production. Its sometimes insensitive approach to resettling Hmong in lowland areas has usually resulted in disease and hopelessness among those affected. Some tribal groups have been forcibly relocated. Refugees report that large numbers of women and children were killed in bombing raids and that captured Hmong soldiers were dealt with harshly and in some cases killed.

Reports by Hmong refugees of attacks, presumably by Lao or Vietnamese military forces with possible Soviet assistance, against the Hmong using lethal chemical agents continue. Since September 1981 new evidence in the form of organic samples has been found in Southeast Asia, lending weight to the charge that biological/chemical weapons have been used within Laos. (For further information, see the Secretary of State's reports to Congress on chemical warfare in Southeast Asia and Afghanistan of March 22 and November 16, 1982.) This charge has been denied by the Lao Government. International efforts continue to gather information, to express deep concern over these disturbing reports, and to seek an impartial international investigation. The United States has urged Laos to accede to the Geneva Protocol of 1925 on such weapons, but has received no response.

There has also been an ongoing Government campaign to suppress resistance from lowland Lao groups, mainly in southern Laos, around Vientiane, and in northwest Laos. Many of the insurgents appear to be former Royal Army troops. Both sides are reported to use brutal tactics, with the anti-government terrorists attempting assassination and ambush of Lao, Vietnamese, and other military and civilian personnel.

Deterioration in Sino-Lao relations has resulted in increasing Lao Government suspicion of and surveillance of local Chinese. So far, however, there has been no policy of deliberate expulsion or persecution. The Chinese school in Vientiane remains open and Chinese associations maintain a low profile. Chinese merchants are still in business, although a majority of them have left the country, largely for economic reasons. Departures by this group continue. The Lao Government allows Chinese to emigrate rather freely.

The role of women in Lao society has traditionally been subservient to that of men, but Lao women experience less discrimination than those in many other countries. They are currently being encouraged to take an increasing part in economic and state-controlled political activity.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Lao Government continues to refuse to cooperate with the UN and its committee of experts in their investigation of the use of chemical/biological weapons in Laos. It does not cooperate with private international organizations interested in human rights. Amnesty International's latest report, covering 1981, describes that organization's continuing concern about the "detention without trial of several thousand Laotions" detained after the present regime came to power. Amnesty did comment, however, that a "significant number of detainees were released in 1981."

4. Economic, Social, and Cultural Situation

About 85 percent of the population of Laos is engaged in subsistence agriculture. The per capita gross national product is estimated at under $100 and is disproportionately concentrated in a small number of cities. The country's economic problems are further complicated by inadequate internal transportation and isolation from the sea. The avowed aim of the Government is to improve the economic self-sufficiency of the country and the condition of the people by a socialist transformation of the economy, including collectivization of agriculture. The Government has outlined an ambitious program of economic development with emphasis on agriculture and forestry. In early 1978, instances of attempted coercion of some farmers to join agricultural cooperatives were reported, causing for the first time some lowland Lao farmers to leave the country. According to the Lao Government, this coercion was the result of lack of understanding by both cadre and farmers and was not a government policy.

The formation of new cooperatives has been slowed, and the Government has declared that membership in collectives will not be subject to coercion. The Government has nationalized most industries and has at times tried to impose strict controls on urban private enterprise. Private trade is allowed to continue, however, by virtue of the fact that it still constitutes the principal and most efficient manner for providing for the people's economic well-being. In 1982 there appears to have been some easing of constraints on small business.

Laos continues to experience serious foreign exchange difficulties. Domestic difficulties, natural and man-made, continue to hold timber and coffee exports far below their potential. In addition, the Government has used these commodities and minerals to pay aid debts to Soviet bloc countries, thus sacrificing desperately needed hard currency earnings. Laos has difficulties in paying its import bills for many necessities, including fuel.

The health picture is discouragingly poor. Infant mortality is about 128.8 per 1000 live births. Life expectancy is approximately 42.6 years. Only two out of three children reach age four. The estimated overall population growth rate is 2.4 percent. There are perhaps no more than 150 physicians in the country. Laos has only four hospitals of any significant size. Major causes of premature death in Laos are gastrointestinal diseases deriving from unsafe drinking water, malaria, respiratory infections, and malnutrition. The Government is attempting to improve the health situation by training more cadre in basic health care, improving water supplies, modernizing 13 provincial hospitals, constructing clinics in all districts, inoculating against cholera and other diseases, and promoting adult education on preventive hygiene.

The Lao authorities are continuing a campaign to reduce illiteracy. Although official data claim a 60 percent adult literacy rate, this figure seems exaggerated. (The World Bank estimated a 41 percent literacy rate in 1977.) It is difficult to assess the success of this campaign although the Government has made sweeping claims that illiteracy has been eliminated in entire provinces. The Government carries out an intensive program of adult education with the primary aim of indoctrinating adults along "socialist lines." Approximately 93 percent of children aged 5-14 are said to attend school regularly. The effectiveness of teachers is necessarily limited, however, since their own training has usually been only rudimentary. According to some accounts, in provincial areas the time teachers must devote to supplementing their meager incomes causes them to reduce classroom hours substantially.

Emphasis on higher education is placed on training technicians and engineers to help meet the great need for such personnel in development projects. Thousands of Lao students have been sent abroad for training in the USSR, Vietnam, and Eastern Europe. The pool of trained manpower in Laos, however, continues to suffer losses as skilled workers flee the country as refugees.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: LAOS

	1980	1981	1982
I.ECON. ASSIST.-TOTAL	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)	0.0	0.0	0.0
B.FOOD FOR PEACE	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
TITLE I-TOTAL	0.0	0.0	0.0
REPAY. IN $-LOANS	0.0	0.0	0.0
PAY. IN FOR. CURR.	0.0	0.0	0.0
TITLE II-TOTAL	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY	0.0	0.0	0.0
C.OTHER ECON. ASSIST	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
PEACE CORPS	0.0	0.0	0.0
NARCOTICS	0.0	0.0	0.0
OTHER	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
A.MAP GRANTS	0.0	0.0	0.0
B.CREDIT SALES-FMS	0.0	0.0	0.0
C.INTL MIL.ED.TRNG	0.0	0.0	0.0
D.TRAN-EXCESS STOCK	0.0	0.0	0.0
E.OTHER GRANTS	0.0	0.0	0.0
III.TOTAL ECON. & MIL.	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
OTHER US LOANS	0.0	0.0	0.0
EX-IM BANK LOANS	0.0	0.0	0.0
ALL OTHER	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL	31.3	7.4	4.3	107.2
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	13.4	0.0	0.0	32.0
IDB	0.0	0.0	0.0	0.0
ADB	12.9	4.3	0.0	36.8
AFDB	0.0	0.0	0.0	0.0
UNDP	5.0	3.1	0.0	28.2
OTHER-UN	0.0	0.0	4.3	10.2
EEC	0.0	0.0	0.0	0.0

MALAYSIA

Malaysia is a multi-ethnic society in which Malays dominate political affairs while ethnic Chinese and, to a lesser extent, ethnic Indians continue to play leading roles in the economy. Malaysia has a parliamentary system of government and the legitimacy of its regime is based on winning power through elections. Elections are free and contested by a number of parties; the ruling National Front (composed of parties representing the major ethnic communities), however, has consistently won a two-thirds or better majority in the federal parliament. Malaysia has a strong free enterprise economy and is one of the most prosperous of developing countries, though over the last year it has begun to feel the impact of the world recession.

The Government has placed among its highest priorities avoidance of a repetition of the severe violence which followed the May 1969 elections when several hundred persons were reported to have died in communal riots in Kuala Lumpur. Moreover, the Communist Party of Malaya has been engaged in an armed struggle with the Government since 1948 and, though the insurrection is well under control and the last serious upsurge was in 1975, the government counter-insurgency effort continues to suffer a small number of Malaysian police and military personnel killed or maimed annually.

This insurgency and the possibility of renewed communal conflict are cited by the Malaysian Government as justification for legislation which makes legal both trial under circumstances which circumscribe the normal judicial protections guaranteed to a defendant and the arrest and detention without trial of persons suspected of subversive activity or of other activities that threaten general civic order. Despite these problems, the state of human rights in Malaysia is relatively good and has improved in the past year. In its report for 1982, Freedom House classified Malaysia as "partly free." A generally independent judiciary and a functioning parliamentary system safeguard most fundamental human rights.

The administration of Prime Minister Mahathir has continued the policy it began when it came to power in 1981 of releasing considerable numbers of individuals held in detention without trial, but it has consistently asserted that it will maintain intact the framework of security legislation for the foreseeable future. There have, however, been some indications that there may be a long-term trend toward easing the implementation of the legislation, though it is too early to tell whether this trend will be borne out by future events.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no instances during the past year of killing of opposition or other figures by the Government. (In July 1982 one cabinet minister was arrested and charged with the murder of a political rival within the ruling Malay party.) Malaysian police and military personnel have been killed by communist insurgents. The insurgents receive moral backing from the Chinese and other foreign communist parties, but are not officially supported by any foreign government.

b. Disappearance

There is no evidence of abduction, secret arrests, or clandestine detention although the Government does detain people without trial. The government also reserves the right to refuse requests for information on specific individuals detained under security legislation and some detainees have reported not knowing where they were being held during periods of confinement.

c. Torture

The federal Constitution of Malaysia prohibits torture or cruel, inhuman, or degrading treatment or punishment. A defendant in a recent trial alleged that police utilized harsh and prolonged interrogation techniques on him, and the Government has promised an investigation of the matter. There have been no other reported instances of torture.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

As mentioned above, such behavior is constitutionally prohibited. The Constitution stipulates against any derogation of the relevant protective provisions. Though capital offense trials under the Internal Security Act fall short of normal judicial protection, summary executions are not carried out and convictions which carry the death penalty are automatically subject to appeal to the Federal Court and the Pardons Board.

Poor living conditions and inadequate medical attention during incarceration have in earlier years been reported by former detainees or relatives of detainees. In August 1982, a delegation of attorneys from France, Japan and the U.S. representing various human rights groups who came to Malaysia to look into human rights matters briefly visited some prisons and Internal Security Act detention camps. They said publicly that conditions seemed reasonably good and that they had found no specific instances or claims of brutality. They felt, however, that Malaysian efforts to rehabilitate detainees and get them to sign confessions, while not involving brutal treatment, verged on "brainwashing."

e. Arbitrary Arrest and Imprisonment

The Malaysian Constitution provides for the proclamation of a state of emergency during which individual rights may be limited by law. A state of emergency has existed since it was proclaimed in May 1969 during communal rioting. Legislation granting extraordinary powers to the Government enables arrest and imprisonment without benefit of trial or the right of habeas corpus. The Deputy Prime Minister told an audience of diplomats and foreign journalists in June 1982 that the number of detainees had dropped from 540 when Prime Minister Mahathir took power in 1981 to 394. An additional 47 were released to commemorate Malaysia's 25th anniversary on August 31, 1982. Most of the detainees are allegedly members or supporters of the Communist Party of Malaya, with the bulk of the remainder characterized by the Government as religious extremists. In its report covering 1981, Amnesty International welcomed the releases, but stated its concern about the fate of others still being held under the Internal Security Act.

The Malaysian Government considers the communist threat and continuing communal tensions to be adequate justification for the use of emergency powers, first embodied in regulations by the British and later extended and made more comprehensive by Malaysian legislation. These regulations permit arrest and detention without trial of persons suspected of subversive activity and other actions contributing to domestic instability. Known as the Internal Security Act and the Emergency (Public

Order and Prevention of Crime) Ordinance 1969 (E.O.), they provide for initial preventive detention for up to two years, which can be extended indefinitely. A person detained under the emergency laws has no recourse to the courts, but as soon as possible after arrest must be told the reason and given an opportunity to challenge the detention order.

f. Denial of Fair Public Trial

Modeled on the British judiciary, the Malaysian courts are generally regarded by the public and the legal community as committed to the rule of law. The courts have usually accepted the philosophy that it is not their place to overturn parliamentary legislation, taking the view that the Government can be trusted not to abuse its powers. At the same time, they have not hesitated to rule against government prosecutors in specific cases, both civil and criminal.

Defendants have the right to counsel, and lawyers are able to represent dissidents without penalty to themselves. Most civil and criminal cases are tried under this judicial system and thus public trial and a fair hearing occur in all but a small minority of cases. In non-security related cases, the courts apply criminal law and procedures, including strict rules of evidence. Charges must be levied against a defendant within 24 hours of arrest and the police must decide within 14 days whether to bring the case to court.

Persons detained for security reasons and certain classes of crimes, however, are held and given hearings under special procedures outside the ordinary court system which do not afford these basic legal safeguards. The Government uses the Emergency (Essential Powers) Ordinance 1969, which is designed to deal with terrorism and political violence, as the basis for regulations that substantially diminish the rights of the accused by allowing presumption of guilt, in-camera trial, and anonymous witnesses. The Government contends that it has never invoked these latter two powers. These regulations are used in a limited number of security cases when the accused is brought to trial rather than simply detained under the Internal Security Act.

These procedures allow suspects to be held without charge for seven days, a period which can be renewed for an additional 60 days. The accused does not receive a statement of the evidence. Trial is by a single judge, without a jury. Special procedures for examination of witnesses are authorized, including in the absence of the accused. Admissibility of evidence includes hearsay and secondary evidence, testimony of children and spouses, self-incriminating statements to police, information from seized records or communications, and evidence by affidavit. If the accused is found guilty, the judge must impose the maximum penalty (including death, where applicable). The Malaysian Federal Court upheld the constitutionality of the mandatory death penalty for Internal Security Act crimes in September 1982.

While the constitutionality of the mandatory death sentence was being challenged, executions under the Internal Security Act were postponed. The first execution since the constitutionality of the mandatory death sentence was upheld took place on December 12, 1982. There are reports that as many as sixty Internal Security Act prisoners are awaiting execution.

Defendants (and prosecutors in all trials) may appeal lower court decisions to the federal courts. In criminal cases, defendants may also appeal for royal clemency to the King or the local state rulers, as appropriate.

Military courts in Malaysia do not try civilians.

g. Invasion of the Home

Invasion of the home is generally limited to cases involving security legislation. In its counter-insurgency efforts against the communist party, the Government makes extensive use of its powers under the Internal Security Act to enter and search the homes of suspects. In non-security cases, police of inspector rank or higher may search homes without a warrant if they have reason to believe a crime has occurred.

2. Respect for Civil and Political Liberties, Including:

a. Freedom of Speech and Press

Tension between Malays and ethnic Chinese led to race riots in 1969 and the suspension of parliamentary democracy for two years. Since then, under the Constitution (Amendment) Act of 1971, certain "sensitive" policies touching on ethnic origins or (generally Malay) privileges may not be questioned in public or in the parliament. The state of emergency legally proclaimed during the 1969 communal rioting continues in effect.
The emergency laws are designed to reduce the risk of communal violence by forbidding any public exacerbation of racial tensions.

Radio and television are government-controlled. The media are constrained by the constitutional prohibitions against discussions of "sensitive" topics. Mindful of the need for annual renewal of publishing licenses and generally owned by the government coalition parties, the press is circumspect in its treatment of government policies.

Journalists have also occasionally been detained, as in the case of two journalists for a Malay language newspaper last year who were held in connection with "possible involvement in allowing the paper to be used to spread communist propaganda." Both were released in 1982.

Issues of foreign publications have sometimes been removed from circulation or delayed in distribution. There are no other restrictions on what may be printed, however, and the activities and statements of opposition political figures and domestic political developments are covered. Moreover, the press reports on violations of legal standards with respect to non-sensitive and approved issues and acts as an informal ombudsman, as do the parliamentary opposition and the active bar association.

Academic staff members, professors, and students are kept under tight restrictions. There are no independent student or academic bodies on the campuses and professors are proscribed from public comments on controversial issues.

b. Freedom of Peaceful Assembly and Association

The Malaysian Constitution guarantees the rights of freedom, peaceable assembly, and association, although the Constitution also grants the Government extensive powers to limit those rights by legislation in the interest of security and public order. In 1981, the parliament amended the Constitution to allow the Minister of Home Affairs to regulate more strictly all organizations attempting to influence government policy and to preclude judicial review of these actions. In practice, the 1981 revision of the Societies Act and trade union legislation requires that most organizations be registered with the Government and thus subject to close control. In the wake of the communal disturbances of 1969, the Government passed laws greatly limiting the right to public assembly by large groups.

The Malaysian trade union movement consists of 366 separate unions representing 594,791 workers, or 15 percent of salaried workers. Unions are most active in the plantation, transport, and education sectors, but are not permitted in several key manufacturing areas, including the electronics plants in the free trade zones. Unions exercise considerable freedom in pushing "bread-and-butter" issues, but have largely stayed out of the political arena. Still, the Government of Malaysia is quite sensitive to possible political actions by the labor movement and plays an active role in labor relations to "ensure that the security and economic life of the nation are protected." This attitude, combined with a disruptive strike against the Malaysian national airline in late 1979, led to the adoption of amendments to the Industrial Relations Act in May 1980. These amendments expanded the Government's role and placed tighter controls on labor activities; they also drew International Labor Organization criticism as running counter to the principles of freedom of association.

While strikes are allowed in Malaysia, the Government rapidly refers most industrial disputes to binding arbitration in labor courts, at which point strikes must cease. The Malaysian Trade Union Congress is the umbrella organization for unions in Malaysia, with affiliates representing about half the union members. The Malaysian Trade Union Congress maintains close relations with international bodies and unions, including the International Labor Organization, the International Confederation of Free Trade Unions, and the AFL-CIO through the Asian-American Free Labor Institute. Malaysian Trade Union Congress President Dr. P.P. Narayanan is serving his second term as president of the International Confederation of Free Trade Unions. There has been growing friction in the Malaysian labor movement over the past few years, as the Government has adopted a more aggressive policy vis-a-vis the Malaysian Trade Union Congress and the "confrontational" style of its leadership. The Malaysian Trade Union Congress has also been weakened by the splintering off of several large civil service unions.

Other issues in Malaysian industrial relations include (a) the role of the labor movement's Indian leadership relative to the Government's desire to encourage greater ethnic participation by ethnic Malays in the economy under the "New Economic Policy;" and (b) the effect of the 1981 revision of the Societies Act, which may force Malaysian labor bodies to opt between becoming "friendly societies" (and sacrifice rights to criticize the government on labor issues and support political candidates) or "political societies" (which would among other limitations force them to cut ties with foreign bodies).

c. Freedom of Religion

While the state religion of Malaysia is Islam and Malaysian Muslims are legally bound by Islamic religious laws, the federal Government itself does not discriminate against practitioners of other religious faiths. In Malaysia, the latter include Hinduism, Buddhism, Chinese religions, and Christianity. Conversion is permitted, but attempts to proselytize among Muslims is forbidden. Attempts of Malaysian Muslim fundamentalists to extend the enforcement of Islamic laws against non-Muslim Malaysians and even other nationalities have caused concern and controversy. The Government has regularly declared in parliament in response to the fundamentalist challenge that it would not accede to demands for wider enforcement of Islamic law, pointing out that Malaysia is a multi-religious country. The judiciary has also spoken out against replacing common law with Islamic law.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Persons wishing to travel abroad must obtain passports, which have been denied in a few cases on what the Government terms security grounds. The Government also restricts travel to China by ethnic Chinese citizens. Travel between peninsular Malaysia and the Borneo states of Sabah and Sarawak is constitutionally subject to control by those state governments as the result of conditions imposed by the Sabah and Sarawak governments at the time of their accession to the federation. The Sabah and Sarawak governments have on several occasions arbitrarily denied entry to opposition politicians and journalists from peninsular Malaysia and abroad, though use of these exclusionary powers has declined. Malaysian citizens are not barred from returning to the country after residence abroad, although acceptance of foreign citizenship or its benefits may lead to loss of Malaysian citizenship.

Malaysia continues to play a key role in providing temporary asylum for boat refugees from Vietnam and has taken in over 174,000 Indochinese refugees since 1975. To date almost all of these refugees have been resettled in other countries. Malaysia has accepted about 5,000 Muslim Khmer refugees for permanent resettlement. Generally, Malaysia has not forced refugees to return to homelands from which they have fled; however, in 1975, during the floodtide period of refugee exodus and expulsion of ethnic Chinese from Vietnam, Malaysia forced back to sea thousands of refugees attempting to land along the east coast. In late 1982, there were reports that local Malay authorities have denied permission to refugee boats from Vietnam to land and have forced them to sail on to Indonesia.

e. Freedom to Participate in the Political Process

Malaysia has a parliamentary system based on the British model, with a prime minister and cabinet responsible to parliament. The head of state is a constitutional monarch elected for a five-year term by the sultans of those Malaysian states which are sultanates (nine of thirteen) from among their own members. The bicameral parliament consists of a senate (with both appointed and elected members) and an elected house of representatives, where a small but vocal opposition criticizes the Government regularly. Legislative power is further divided between federal and state legislatures. State executive administrations attend to matters of local concern. Elections on the basis of universal suffrage are held at no more than five-year intervals as specified by the Constitution. The last national parliamentary elections were held in April 1982, when the ruling National Front coalition won 132 of 154 seats (of which 144 were contested).

In parliamentary and state assembly elections, the National Front takes full advantage of its incumbency, and in recent elections it has prohibited public rallies, a factor which seriously inhibits the opposition. Even the opposition concedes, however, that popular votes are cast freely and secretly and are recorded accurately. In the 1982 state assembly elections, the success of one opposition party, the Islamic Party, which increased its representation from 10 to 18 seats in state legislatures, tends to support this view.

The position of women in Malaysian society is relatively unrestricted, within the constraints of Islam and other Eastern cultures in the country. Women have full voting rights. Malaysia now has two women cabinet ministers: Welfare Services, appointed in 1978, and Public Enterprises, appointed in 1980. Two female deputy ministers were appointed in 1982. Political parties representing both Chinese and Indian minorities are part of the ruling National Front. There are six Chinese and one Indian serving as cabinet ministers and eight Chinese and two Indians as deputy ministers.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Malaysian Government is not a member of any international or regional human rights bodies, though individual Malaysians and organizations belong to the International Bar Association, the Law Association for Asia and the Western Pacific/Australia (LAWASIA), and the International Commission of Jurists. The Government has not been the subject of resolutions, investigations, or other human rights actions by human rights organizations.

In 1982, however, the Government of Malaysia came under considerable criticism from human rights organizations, most particularly Amnesty International. Their criticisms involved continued detention without trial under the Internal Security Act and the fact that the death sentence is the mandatory penalty for certain Internal Security Act crimes, including ones not involving actual commission of violent acts. The Government has taken the position that the Internal Security Act will remain in effect and that Malaysia is the best and sole judge of its security needs.

At the same time the Government has been willing at the highest level to explain its human rights policies to outside visitors. In August 1982, for example, the Prime Minister met with a visiting delegation of attorneys representing various international human rights groups which was in Malaysia to look into human rights questions. The Prime Minister has also publicly stated, in reply to an apparent query by Amnesty International, that Amnesty International would be free to send representatives to Malaysia.

There are no government or private organizations in Malaysia created to deal specifically with protection of individual liberties. The Bar Association, a Muslim youth movement, and a social reform group all devote some time to the subject, usually in reacting to government actions that they believe endanger civil liberties. The Bar Association also makes some effort to investigate instances of possible violation of human rights, but more on an ad hoc basis than through set procedures. All these organizations support the maintenance of democracy, though the youth movement believes that Western democratic ideals must be adapted to the needs and mores of an Islamic society. There is no evidence that the Government attempts to punish these organizations or their members for their support of human rights matters, though the effectiveness of the organizations in the human rights area appears limited.

4. Economic, Social, and Cultural Situation

The Malaysian Government has demonstrated its commitment to meet the economic needs of its people. The country has made significant economic advances in the 25 years since independence. It also recognizes and protects the right to own property alone as well as in association with others.

The Government practices "affirmative action" on an extensive scale in favor of the politically dominant but economically weaker ethnic Malays. Many non-Malays consider this policy discriminatory. As a result of these extensive affirmative action programs and policies, non-Malays' opportunities for education, government employment, and participation in selected activities are carefully apportioned. This practice is based both on constitutional provisions and government policies.

The population of Malaysia is approximately 14.6 million people. The health and nutrition situation is relatively good. Life expectancy at birth is 64.2 years and the population growth rate is 2.3 percent. Infant mortality runs at about 31 deaths per 1,000 live births. Sixty-two percent of the population has access to safe water and the caloric supply per person meets 117 percent of nutritional requirements for the overall population. Elementary education is available to all Malaysians, with the Government providing scholarships for the children of the poor, particularly Malays. Primary school enrollment is at 93 percent. The adult literacy rate is 60 percent, with the rate of the entire population probably around 70 percent.

The per capita income in Malaysia is estimated at $1,668 for 1981. About 46 percent of the rural population and 16 percent of the urban is considered to be below the poverty level. In 1980, there was an average of 1.1 household per occupied private living quarters.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: MALAYSIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	2.5	1.7	1.3
LOANS..............	0.0	0.0	0.0
GRANTS.............	2.5	1.7	1.3
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.6	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.6	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.6	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.6	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	1.9	1.7	1.3
LOANS..............	0.0	0.0	0.0
GRANTS.............	1.9	1.7	1.3
PEACE CORPS......	1.9	1.7	1.3
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	7.3	10.3	10.5
LOANS..............	7.0	10.0	10.0
GRANTS.............	0.3	0.3	0.5
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	7.0	10.0	10.0
C.INTL MIL.ED.TRNG....	0.3	0.3	0.5
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	9.8	12.0	11.8
LOANS..............	7.0	10.0	10.0
GRANTS.............	2.8	2.0	1.8
OTHER US LOANS..........	0.0	67.1	4.1
EX-IM BANK LOANS.......	0.0	67.1	4.1
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	187.9	235.6	234.9	2132.5
IBRD	105.0	127.0	152.3	1371.1
IFC	0.0	0.0	0.0	8.7
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	80.1	108.6	81.5	700.5
AFDB	0.0	0.0	0.0	0.0
UNDP	2.8	0.0	0.0	39.0
OTHER-UN	0.0	0.0	1.1	13.2
EEC	0.0	0.0	0.0	0.0

MONGOLIA

Mongolia, or the Mongolian People's Republic, is a rigidly controlled communist state almost totally dominated by the Soviet Union. Political life is monopolized by the Mongolian People's Revolutionary Party headed by Chairman Yumjaagiyn Tsedenbal. As in the political arena, Mongolian economic life is shaped by the Soviet Bloc: 95% of Mongolia's foreign trade is conducted with the USSR and Eastern Europe. The Mongolian economy remains heavily agricultural with an emphasis on live animals and animal products.

Little information is available concerning the internal treatment of Mongolian citizens. Much of what information is available comes from the Mongolian regime. The United States does not recognize, nor does it have diplomatic relations with Mongolia. The few resident diplomats and occasional visitors to Mongolia are mainly limited to the capital city of Ulaanbaator. Travel in other parts of the country is restricted. It is known, however, that Mongolian life and society are tightly controlled. Few Mongolians travel abroad. No political opposition to the ruling Communist Party is permitted. Freedoms guaranteed to the individual under the Mongolian Constitution, including speech, demonstration, and assembly, can be exercised only to "strengthen the socialist state system." In effect, individual civil and political liberties do not exist and there is nothing to indicate that this situation is likely to change in the foreseeable future.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There is no information available concerning killing for political motives in Mongolia whether by government or by opposition groups.

b. Disappearance

There is no information available concerning disappearances in Mongolia.

c. Torture

There is no information available concerning the question of torture in Mongolia.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

There is no information available concerning this subject with regard to Mongolia.

e. Arbitrary Arrest and Imprisonment

There is no information available on this question with regard to Mongolia.

f. Denial of Fair Public Trial

Current civil and criminal codes, written in 1949, stipulate the right of the accused to judicial process, a legal defense, and public trial "except as stipulated by law." However, closed proceedings are permitted in the case of crimes against the state. As the civil code places a heavy emphasis on this category of crimes, and since the Mongolian People's Revolutionary Party controls all legal systems, those accused of such crimes are unlikely to receive fair judicial process.

g. Invasion of the Home

The right to privacy of person, home, and correspondence is guaranteed in the Constitution, but there is no information available concerning the application of these rights by Mongolian authorities.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Mongolian Constitution provides for freedom of speech, but specifies that the exercise of individual rights must be to "strengthen the socialist state system." Actions deemed to fall outside this parameter would likely result in arrest and detention. Criticism of the Government is not tolerated. Control is exercised through various government-controlled organizations, notably the Peoples' Control Organization, extending down to the neighborhood committee level. The press is strictly controlled by the Government. Non-communist foreign media representatives are generally not allowed into the country. Academic and artistic life is similarly tightly controlled and directed into rigidly determined lines in accordance with government policy.

b. Freedom of Peaceful Assembly and Association

Freedom of demonstration and assembly are guaranteed by the Constitution, but in practice only government authorized organizations are permitted to assemble and the only demonstrations allowed are carefully orchestrated by government authorities. A wide variety of organizations, including professional and trade unions, exist, but all are controlled and directed by the central Government.

c. Freedom of Religion

Freedom of religion exists in theory, but the current regime strictly controls religious activity. Religion no longer plays any significant part in the lives of most Mongolians. The Buddhist church, which was a central force in Mongolian life prior to the establishment of the communist Government, has been reduced to a few showcase monasteries and a handful of monks. They serve primarily as propagandists and as show pieces for tourists.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Until recent years, very few Mongolians travelled abroad, even to the Soviet Union. Foreign travel usually has been permitted only for official purposes, but government-sponsored education abroad has become increasingly common. Such foreign travel as takes places is almost exclusively to Soviet Bloc countries. No Mongolians are known to have requested repatriation to Mongolia. There is no known emigration from Mongolia.

All Mongolians over 16 years of age must have internal passports and must obtain permission from the Security Bureau in order to travel within the country. Attempts to change jobs or residences must be approved of by both the Security Bureau and the Peoples' Control Organization.

Some Chinese refugees of Mongolian extraction fled to Mongolia during the late 1960's Cultural Revolution. Most of these have since returned to China and there are no known refugees in Mongolia at this time.

e. Freedom to Participate in the Political Process

The Mongolian People's Revolutionary Party does not tolerate political groups outside its control. The Party is established on the Soviet model and its organization is hierarchical. Lower-ranking members have no real ability to influence the decisions of superiors. Elections are held at regular intervals, but only one candidate is listed for each office, so the choice is to vote for him or cross his name out. Many elections result in a 99.9% turnout. Winning candidates regularly receive 99.9% of the vote. While there is no officially espoused policy of minority disenfranchisement, it is significant that there is no evidence of religious persons and only a very few minorities, other than the dominant Khalkha Mongols, occupying elite party or government positions. The sole method for participating in a real sense in the political process is through joining the Party and moving up through the ranks. Similarly, while universal franchise and equal rights for women are official policy, in practice few women occupy positions of responsibility in the Government or Party structures.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Mongolia acceded to the United Nations Covenant on Civil and Politial Rights in 1976. However, the Mongolian regime has consistently followed the Soviet human rights policy and practice, whether or not it is consistent with the covenant. There have been no known opportunities for outside investigators to examine human rights practices. It is highly unlikely that Mongolian officials would permit such investigation by any outside authority or organization. There is no known indigenous organization dedicated to the protection of human rights in Mongolia. Freedom House, in its 1982 report, classified Mongolia as "Not Free."

4. Economic, Social, and Cultural Situation

It is impossible to verify the claims of the current regime that the life of the average Mongolian has improved when compared to conditions before the communist takeover. Mongolian figures indicate, however, that there were 20.9 physicians per 10,000 population in 1978 and that infant mortality rate had declined to 70 per 1,000 live births in 1981. Life expectancy at birth rose from 52 years in 1960 to 63.6 years in 1980. The limited data available indicates similar improvements in education, employment, and food production. World Bank and USAID estimates tend to confirm the claims of an improved standard of living.

Education has been a high priority of Mongolia since the mid-1950s. Adjusted primary school enrollment increased from 79 percent in 1960 to 108 percent in 1978 (indicating a large proportion of the students are above or below the official primary school ages). There appears to be little sexual, racial, or religious discrimination in education. The adjusted enrollment for males was only six points higher than for females in primary education in 1978.

The percentage of calories available for consumption relative to nutritional needs reached 104 per cent in 1977. Gross national product per capita in 1979 was $780.00. Population figures in 1981 show 1,718,000 people in Mongolia. The population growth rate remained constant at 2.9 per cent throughout the 1960's and 1970's and into 1980. The Government claims universal literacy within Mongolia, but there is no way to verify this.

Despite the substantial rise in the Mongolian standard of living over the last fifty years, the country remains extremely backward. The majority of the population remains engaged in agriculture, primarily herding. An inefficient and over-centralized bureaucracy, and a centrally-run economy integrally incorporated with the Committee for Mutual Economic Assistance (a Soviet-dominated arrangement designed to serve Russian rather than Mongolian interests) severely limit national growth. These combine with a lack of resources, extreme geographic isolation, and a severe climate to keep the quality of Mongolian life poor by any objective international standard.

NEW ZEALAND

New Zealand has an exceptional record in the human rights field and is continuing to improve and broaden respect for such rights. The country enjoys a firm tradition of democracy dating back to its founding in the 19th century. Universal suffrage, personal freedom, respect for minority rights, rule by law, humane treatment of prisoners, concern for the economically deprived, freedom of the press, free trade union affiliation, and freedom of religion are deeply ingrained principles in New Zealand society and are fundamental, unquestioned tenets in its governance. New Zealand is a multi-party parliamentary democracy in theory and in practice. Its economy, which includes considerable socialization in areas such as health and welfare, is based on free market enterprise.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Killing for political motives, whether by government or opposition political organizations, does not occur in New Zealand.

b. Disappearance

Such practices do not occur in New Zealand.

c. Torture

Torture is illegal under a long tradition of common law and case precedents. It is not practiced in New Zealand.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

None of these exists in New Zealand. Capital punishment is illegal, and summary executions are unknown. Abuse of prisoners and use of excessive force by police are not tolerated and the Government has procedures adequate to deal with the police should any incident occur. Prison and detention facilities provide adequate shelter, food, and medical care. Prisoners' relatives and lawyers are allowed to visit them. There are no differences of treatment of prisoners based on type of conviction, social class, race, sex, or religion. Sentences are not unusually severe and in general correspond with sentences in the US and other developed Western countries.

e. Arbitrary Arrest and Imprisonment

This does not exist in New Zealand and habeas corpus is honored in practice. Following arrest, persons must be and are charged promptly.

f. Denial of Fair Public Trial

The law, which guarantees the right to a fair public trial, is respected. Defendants are entitled to and have free access to counsel. Consultations between defendants and counsel may be held in private. The Government does not harass defense counsel. Defendants are charged promptly after arrest and charges are stated formally and clearly. Under New Zealand's legal system defendants are able to call witnesses, present evidence, and cross-examine prosecution witnesses at trials and are not subject to double jeopardy. The judicial system is independent of executive or military control. There are no special courts to deal with political or security offenses. Civilians are not tried by military courts.

g. Invasion of Home

Private property can only be searched in conformity with the law, which requires a warrant issued by a magistrate. Forced entries have not been alleged credibly, and no other violations of the home are known to have occurred.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These rights are guaranteed in New Zealand by a long tradition of common law cases and principles. There is no censorship or control of the media by the Government apart from legislated exceptions relating to pornographic and similar materials and laws against defamation. Opposition viewpoints are freely discussed in the media. Journalists and academics work unhindered by the Government and they are not harassed or intimidated in their work.

b. Freedom of Peaceful Assembly and Association

Public meetings are free of restrictions and no one is denied the right to assemble freely. This applies equally to freedom of association. Trade union rights are respected and have a long tradition in New Zealand. Public sector employees generally are not prohibited from collective bargaining and striking with some limited exceptions (for the safety and well being of the general public). There are no state-organized unions, and the Government does not interfere with union matters.

c. Freedom of Religion

There is no state religion in New Zealand and all religions are practiced freely. No advantage is given to adherents of any particular faith.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

There is complete freedom of internal and external travel, emigration, and repatriation to New Zealand. The right of voluntary repatriation is guaranteed. In addition, New Zealand has been responsive, within the limits of its resources, to the resettlement needs of refugees and has practiced a liberal asylum policy. The New Zealand Government, as well as private organizations, has been generous in this cause.

e. Freedom to Participate in the Political Process

New Zealand is a multi-party parliamentary state in which all New Zealanders participate freely in the political process. Two parties, National and Labor, dominate the political scene, with Social Credit, a small but well-known party, now holding two seats in Parliament. There are other smaller politial parties and groups, for the most part devoted to limited and parochial issues and usually of little consequence in the national electoral process. Suffrage is universal for persons 18 years of age and older, in law and in practice. Voting rates are high and participation in political groups is common. Opposition groups have every opportunity to voice their opinions, and no groups are denied political participation or suffrage. Problems of nationality, citizenship, or statelessness do not exist. Women have legal equality with men and participate freely in all phases of New Zealand life. Women now hold eight seats in Parliament, and the president of the ruling National Party is a woman. Discrimination on the basis of sex is illegal, and the Government has taken positive steps to see that it does not occur.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

There have been no requests for such investigations. New Zealand's commitment to protecting human rights and opposing discrimination is exemplified by its adherence to a number of United Nations conventions including: (a) the International Covenant on Economic, Social, and Cultural Rights; (b) the International Covenant on Civil and Political Rights; and (c) the International Convention on the Elimination of all Forms of Discrimination. Numerous organizations exist in New Zealand to protect human rights and oppose various forms of discrimination. Prominent among these are the New Zealand Council for Civil Liberties, and the Citizens' Association for Racial Equality, the New Zealand Human Rights Commission, the New Zealand Chapter of the International Commission of Jurists, the National Organization of Women, and the New Zealand Branch of Amnesty International. Such groups serve to focus public and government attention on possible instances of human rights violations, both in New Zealand and in other countries.

4. Economic, Social, and Cultural Situation

New Zealand is a highly developed social welfare state, and its people enjoy a high standard of living and health. These needs are met on a non-discriminatory basis. The right to own property, individually and jointly, is protected. Food, shelter, health care, and education are available to all New Zealanders regardless of race, religion, sex, ethnic background, or political persuasion. The population of New Zealand in 1981 was 3,268,000. Per capita GNP in 1980 was $7,085. Life expectancy at birth had reached 73.3 years, while the infant mortality rate had decreased to 13.8 per 1,000 live births. The nation's population growth for 1980 stood at .9 percent. The adult literacy rate was 99 percent, while the adjusted primary school enrollment figures exceeded 107 percent for both males and females. There was available nutritional requirements in the supply of calories. No portion of the population was considered to have fallen below the absolute poverty level.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: NEW ZEALAND

	1980	1981	1982
I.ECON. ASSIST.-TOTAL	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)	0.0	0.0	0.0
B.FOOD FOR PEACE	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
TITLE I-TOTAL	0.0	0.0	0.0
REPAY. IN $-LOANS	0.0	0.0	0.0
PAY. IN FOR. CURR	0.0	0.0	0.0
TITLE II-TOTAL	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY	0.0	0.0	0.0
C.OTHER ECON. ASSIST	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
PEACE CORPS	0.0	0.0	0.0
NARCOTICS	0.0	0.0	0.0
OTHER	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
A.MAP GRANTS	0.0	0.0	0.0
B.CREDIT SALES-FMS	0.0	0.0	0.0
C.INTL MIL.ED.TRNG	0.0	0.0	0.0
D.TRAN-EXCESS STOCK	0.0	0.0	0.0
E.OTHER GRANTS	0.0	0.0	0.0
III.TOTAL ECON. & MIL	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
OTHER US LOANS	4.9	0.0	104.6
EX-IM BANK LOANS	4.9	0.0	104.6
ALL OTHER	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL	0.0	0.0	0.0	103.2
IBRD	0.0	0.0	0.0	101.6
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	1.4
OTHER-UN	0.0	0.0	0.0	0.2
EEC	0.0	0.0	0.0	0.0

PAPUA NEW GUINEA

Papua New Guinea is the largest and most populous independent island country in the South Pacific. Owing to rough terrain, the population is isolated and culturally disparate (over 700 languages are spoken), and local interests frequently outweigh national concerns. Political institutions are modeled on those of Australia, the former governing power, but with significant modifications to fit local needs. Thus, the cabinet is selected from a popularly elected unicameral parliament; power resides mainly in the central Government, but extensive responsibilities have devolved to the provincial governments, which are also popularly elected. The Constitution enumerates all the basic personal freedoms, and in practice the courts, mass media, political parties, and trade unions protect these rights vigorously. The Government has an excellent human rights record -- due process is scrupulously observed and political contestants generally respect the rules of fair play.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Murder for political purposes is unknown in Papua New Guinea.

b. Disappearance

Forced disappearance of persons does not occur in Papua New Guinea. It is prohibited by law and is contrary to custom.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Cruel, inhuman, or degrading treatment or punishment is illegal and is not practiced. Treatment of prisoners is fair and humane. Prison conditions in Papua New Guinea are generally good; most are minimum security facilities. There are abuses, but prisoners have the right to complain to the Ombudsman Commission with the confidentiality of their correspondence guaranteed. Public defenders are available. The Papua New Guinea Red Cross has access to prisoners.

e. Arbitrary Arrest and Imprisonment

There are no political prisoners in Papua New Guinea. Habeas corpus exists and is honored in practice. The time period between arrest and trial is generally under 90 days. Accused persons are allowed visitors. The principle of due process was strengthened by a 1979 Supreme Court ruling that voided a provision for collective responsibility in a law on tribal fights on grounds that it violated the constitutional protection against punishment without proof of guilt.

f. Denial of Fair Public Trial

The right to a fair hearing and trial is guaranteed by law and strictly observed. Trials are open to the public. Defendants are entitled to counsel, and counsel has free access to defendants. Consultations between counsel and defendant may be in private. Defendants are quickly made aware of the charges against them, and they and their lawyers can inform themselves of the evidence on which charges are based. Papua New Guinea's courts are independent of executive or military control.

g. Invasion of the Home

The Constitution insures sanctity of the home and the Search Act requires a court warrant. The provisions are observed.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These rights are protected by law and are exercised. Five newspapers produced by three independent companies freely criticize government programs and public figures. Both radio stations are government-owned, but news reports include opposition as well as official views. Australian radio stations can easily be picked up on the medium wave broadcast band, particularly during evening hours. There is no television.

b. Freedom of Peaceful Assembly and Association

The right of association is guaranteed and freely exercised. Labor unions are protected by law and are active and important in the country's economic life. Over fifty trade unions exist among which the most significant are the mine workers unions, the civil service unions, and the dock workers union. Unions are free to strike and do so. Employers organizations also flourish. Demonstrations require a permit, but in practice are tolerated without it. A government bill to require the owner's consent for meetings on private property has met stiff opposition from students and unions. The right to strike is protected by law. The law provides for binding arbitration of labor disputes, but strikes are allowed pending settlement.

c. Freedom of Religion

Freedom of religion is guaranteed and a wide variety of indigenous beliefs and Christian denominations exist. There is no governmental harassment or persecution of any religious group.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Papua New Guineans are free to travel within the country and abroad. Passport fees are not excessive. Naturalization is available to foreign residents who satisfy a residence requirement and declare their intent within a prescribed time. Citizenship can be revoked only if obtained on false information or pretenses. Refugees have been admitted from the neighboring Indonesian province of Irian Jaya. Current practice is to return those who come for economic reasons and to find refuge through the UN High Commissioner for Refugees for those judged likely to suffer reprisal if returned home.

e. Freedom to Participate in the Political Process

Papua New Guinea's political processes are free and open. Elections are fair, party affiliations are less important than traditional affiliations, and ideological distinctions are not sharply drawn between parties. Charges of unfair election practices are treated seriously by the courts. Political parties and independents fielded 1,222 candidates in the June 1982 election for 109 seats in the National Parliament. Regionalism is a factor in politics, but there are no sharp, permanent divisions between parts of the country, nor repressed minorities. Women can and do vote; some hold high government positions.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

There have been no allegations of violations of human rights by the Papua New Guinea Government by international or non-governmental agencies.

4. Economic, Social, and Cultural Situation

Papua New Guinea shares some, but not all of the problems prevalent in the Third World. There is widespread poverty, but subsistence agriculture supports 85 percent of the population. The strength of traditional culture has helped to prevent demographic dislocation and prevent any "brain drain" -- almost every educated Papua New Guinean remains in the country.

Women play an increasingly active role in the society. Although few, there are women doctors and lawyers and women have been members of parliament.

According to available economic indicators, life has improved in the last decade in Papua New Guinea. Per capita Gross National Product is up from $360 in 1970 to $784 in 1980. Infant mortality is down; caloric intake is up. School enrollment has increased from 39 percent of primary school-age children in school in 1970 to 62 percent in 1980. The Government provides education, health, and social services on a non-discriminatory basis. However, the systems delivering these services are facing serious challenges because of the difficulties the depressed world economy has imposed on Papua New Guinea. The government depends for much of its tax revenues on commodities whose prices are all at low levels. The Government has been trying to increase its real expenditures by 3 percent annually with most of the new funds allocated for basic infrastructure development such as roads, schools, ports, and power generation. However, declining tax revenues have forced Papua New Guinea to plan for a 20 percent budget reduction in 1983 at current prices.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: PAPUA NEW GUINEA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.2	0.4
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.2	0.4
A.AID	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.2	0.4
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.2	0.4
PEACE CORPS......	0.0	0.2	0.4
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.2	0.4
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.2	0.4
OTHER US LOANS..........	0.0	0.0	60.0
EX-IM BANK LOANS.......	0.0	0.0	60.0
ALL OTHER...............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	52.5	26.6	34.2	348.1
IBRD	17.0	6.0	6.0	99.5
IFC	0.0	0.0	0.0	7.6
IDA	13.0	0.0	0.0	82.4
IDB	0.0	0.0	0.0	0.0
ADB	20.0	20.0	25.0	138.2
AFDB	0.0	0.0	0.0	0.0
UNDP	2.5	0.3	0.0	11.9
OTHER-UN	0.0	0.3	0.2	1.5
EEC	0.0	0.0	0.0	7.0

PHILIPPINES

The Philippine Government is a modified parliamentary system with a strong president who dominates the Philippine political arena. He also controls a ruling party which exerts decisive influence at every level of the Government. Freedom House, in its report for 1981, classified the Philippines as "Partly Free." Political opposition is tolerated, but within a limited scope.

The economic system is marked by a vigorous private sector accompanied by state intervention in strategic sectors. The Philippines is a predominantly agricultural country with a growing industrial sector, which ranks economically in the lower middle range of developing countries.

The country was ruled by Spain for nearly 400 years until 1898 when the United States took control of the Philippines as its colony. After bloody devastation in World War II, the Philippines became independent in 1946. A large majority of the populace is Catholic, although there is a politically significant Muslim minority in some areas of the south. There are numerous ethnic groupings and dialects. Historically, the use of violence for political and private ends has been common in the Philippines.

Two insurgencies are currently active. Both employ terrorist tactics, including murder, bombings, extortion, and robbery to further their goals. In the south, the Moro National Liberation Front has been waging a secessionist war since 1972. The conflict has roots in inequities and misunderstandings dating back to early Spanish times, competition with Christians for traditional lands, the central Government's various efforts to extend its control over Muslim areas, the colonial legacy, and the Muslims' desire to preserve their cultural identity. The level of fighting has diminished considerably in recent years, but still leads to steady casualties. Insurgent activities of the New Peoples' Army, the military arm of the Communist Party of the Philippines, have, by contrast, grown slowly in recent years. The New Peoples' Army is now active in rural areas in a majority of provinces of the Philippines.

The Government has stepped up its own military, economic, and political counter-efforts against the New Peoples' Army. Several hundred alleged guerrillas or their supporters were arrested during 1982, and military forces were deployed in greater strength in areas where New Peoples' Army insurgent activities increased in intensity.

Since the lifting of martial law in January 1981, there has been some gradual improvement in the civil liberties situation, although restrictions remain. Abuses by some military personnel, including torture and summary executions, continue to be reported. Disciplinary action has been taken in some abuse cases.

In 1982, reports of military abuses against civilians came mostly, but not exclusively, from insurgency areas. Forty-five detainees filed reports with the Government in 1982 charging torture during interrogation, an increase over 1981. Some of these stated that they were tortured while detained by military authorities in the Manila area. Charges of "salvaging" (summary execution) were reported in 1982 at a somewhat lower level than in 1981. Reports of abuses by military personnel in the countryside continued at about the same rate in 1982 as in

1981. Accounts of arbitrary arrest and detention continued to be received. The Government periodically conducts investigations into alleged abuses, including several in 1982. President Marcos and senior government officials spoke out repeatedly against abuses. The press has publicized the problem.

Some gradual expansion in the exercise of civil and political liberties continued in 1982. Controls on the press were further relaxed, but in December 1982 the chief opposition newspaper was closed and its staff arrested for alleged subversive activities consisting in part of publication of articles claiming President Marcos' war record to be falsified. Criticism of the Government continued to be published in some of the Philippine media, though in a somewhat more subdued tone than prior to the opposition newspaper arrests.

In 1982, freedom of speech has been generally exercised more assertively. Greater freedom of assembly has served to encourage political activity on the part of the opposition, and various party realignments are underway. In the National Assembly, a small but rather vocal opposition manages to raise controversial issues with the Government, whose supporters dominate the legislature. Opposition figures also exercise responsibilities in a limited number of provincial and local governments. In May 1982, village elections for about 300,000 local government positions were held by nonpartisan, secret ballot for the first time in a decade. The voter turnout was large, and many observers of varied political views considered the elections fair. Many incumbents were defeated. Elections for members of two regional assemblies in the Muslim areas were held in June.

In August and September 1982, the Government arrested approximately 60 labor leaders on charges of conspiracy to commit rebellion. About half were subsequently released. The remainder are undergoing trial. The accused labor leaders denied the charges against them. The Government raided church premises and arrested several Catholic priests and nuns in 1982. No court verdicts have yet been issued. The Government alleged that those arrested were involved in communist activities. While the church hierarchy itself has expressed concerns about the excessive politicization of some small number of clergymen, the raids and arrests evoked strong criticism from church figures.

The Philippine Government continues to offer asylum to Indochinese refugees and cooperates with international organizations and foreign governments which grant permanent resettlement to refugees.

1. Respect for the Integrity of the Person, Including Freedom from:

   a. Killing

Most allegations of killings arise within areas of insurgency. In individual cases, it is often very difficult to determine who committed a killing or why, since the use of violence for political and personal reasons has not been unusual in the Philippines.

Task Force Detainees, a Catholic-related group which compiles statistics on alleged violations of human rights and often publicly takes political positions in opposition to the Government, reports that 85 persons were "salvaged," that is, seized by Government security forces and summarily executed, during the first half of 1982, compared to 210 for all of 1981. Based on its own investigations of incidents, Task Force Detainees also estimates that as of June 1982 there had been 59 civilian deaths in events such as clashes between police or military and demonstrators. In Bulacan, in August, Minister of National Defense Enrile ordered an investigation into allegations that five persons were shot after being arrested, when official reports had indicated that there had been an "armed encounter." No results have been made public.

Military men have been arrested in at least two cases and charged with murder. In one case, in April 1982, Dr. Remberto de la Paz was killed in his medical clinic in Samar. The military initially reported that he had been killed by the New Peoples' Army. After considerable press speculation on the case, the Minister of National Defense ordered a special investigation, and an army sergeant was arrested and charged. He had not been tried as of this writing. In Labo, Camarines Norte, four military men were charged in the shooting of five civilians. The most numerous allegations of such killings occur in the rural areas of Samar, the Bicol, Mindanao, and northern Luzon. The Government has not yet completed its investigation to determine those responsible for the killing in Sagod, Samar of over 40 people in 1981.

In August and September 1982, responding to a significant increase in street crime, the Government conducted an anti-crime campaign in Manila in which over 50 common criminal suspects were shot in confrontations with police. There is concern among civil rights groups that there was an excessive resort to lethal force by arresting officers. The public's reaction to the campaign was mixed, since street crime had begun to affect a wide range of citizens.

While the Government has embarked on several investigations and states that many military personnel have been disciplined for abusive behavior, many cases remain unresolved. It appears that military personnel have been given few serious judicial penalties for abusive actions.

According to both government and private sources, the rebel groups the New Peoples' Army and Moro National Liberation Front are frequently themselves responsible for summary executions. They are reported to kill landlords, politicians, officials, and other key local figures, often by ambush. The reasons for such killings vary -- some are intended to intimidate local residents and demonstrate the insurgents' strength. Others are in response to alleged abuses by the officials or their opposition to the rebels. Insurgent activities have disrupted life in many areas. Government sources claim that nearly 150 village officials were executed nationwide during the May 1982 village election campaign.

Several factors complicate efforts to assess the question of illegal killings by members of the Government security forces or other groups or individuals. Who committed a particular killing is often difficult to establish by actual evidence. The insurgents are responsible for some killings. Common criminals, extremist religious sects, private security forces, and vigilante groups, some with a possible connection to government units or insurgents, have also been blamed for killings. Numerous clashes between armed rebels and government forces occur, though human rights groups assert that some of the reported encounters are in fact executions of unarmed civilians. Some reported killings have apparently never taken place, and others may go unreported. In 1982, international news media covered an account of an artillery shelling on Samar alleged to have killed 200 villagers. When a joint team of investigators from the Government and the political opposition later visited the site, the story was found to be false.

b. Disappearance

For the period January-July 1982, Task Force Detainees stated that it had received information that 12 persons had disappeared. For the full year 1981, the organization lists 32 persons as having disappeared. The Government maintains that such disappearances cannot be attributed to its security forces. The question is complicated by allegations that the Government keeps some of those charged with subversion and rebellion incommunicado for a period of time for interrogation.

c. Torture

Torture is prohibited under the Constitution of the Philippines. Some of those arrested on suspicion of subversion have made statements that they were tortured during interrogation. There has been an increase in reports of torture in 1982 over 1981. According to the Ministry of National Defense, which investigates such incidents, ten reports of torture or mistreatment of detainees were received in 1981, while in 1982, 45 reports were received by September 30. The Government has asserted that some charges of torture are false and are being used by arrested rebels as a legal tactic.

A group of detainees arrested in 1982 in Tagum, Davao del Norte filed sworn statements before the Supreme Court that they were tortured. More than 15 detainees arrested in the Manila area have also complained of such mistreatment. In most of the cases, the torture was reported to have taken place during interrogation at a military camp before the accused had access to counsel.

The Supreme Court has entertained several habeas corpus petitions in cases where detainees said that they were subjected to torture during interrogation. In one case it ordered the trial court to hear evidence on the question of torture, and it ordered medical examinations of others allegedly tortured, an unusually strong move for the court to take. The report of the examinations has not been released. Some defense attorneys state that the fact that the court orders the defendants brought before them prevents or brings a halt to any mistreatment.

The Government denies that torture has been used as a method of interrogation, although a Government study reportedly stated that "third degree or physical violence is the most common form of misbehavior" committed by policemen in getting confessions from suspects. The Ministry of National Defense investigates complaints of torture. Philippine Government authorities have acknowledged that while some cases of torture may have taken place, the Government's policy is to punish those guilty of such abuses. Government statistics do not reveal whether disciplinary action has been taken against those allegedly responsible in torture cases.

d. Cruel, Inhumane, or Degrading Treatment or Punishment

Conditions in Philippine prisons are generally poor. Physical punishment is not officially part of the penal system, but life in the prisons is often harsh. According to lawyers who deal with political detainees, many prisoners arrested on charges of subversive activities are held incommunicado for interrogation at the time of their arrest. In some cases, prisoners have been held in isolation for long periods. The Government denies that any prisoner is held in solitary confinement, however.

Prisoners held on charges of subversion have better accommodations in Manila than common criminals. They are permitted visits by family members and by legal counsel. Some detainees have conducted hunger strikes of limited duration or partial fasts over prison conditions and terms of detention.

In parts of the country such as Mindanao, there have been instances where villagers have been relocated away from insurgency-affected areas. There have been complaints that villagers have been moved involuntarily and that housing, food, and health conditions in the relocation areas are inadequate. The Government has ordered that these relocation practices be halted and the villagers be allowed to return to their original areas, but some reports indicate that many remain at the relocation sites.

In areas of sustained military activity such as Bicol, northern Luzon, Davao, and Samar, there have been allegations of military abuse ranging from drunkenness and extortion to rape and murder. Reports of abuse have continued at about the same rate in 1982 as in 1981. In 1982, however, there was considerably more media coverage of such abuses than in previous years, and the Government has indicated it has stepped up its investigations into the allegations.

The Ministry of National Defense stated that there had been 70 cases of alleged military abuse of all kinds against civilians reported during the period January-September 1982. There was reportedly a backlog of 4,200 cases of complaints of abuse as of April 1982. Some military commanders have imposed strict discipline on their troops and have succeeded, in combination with civic action programs, in reducing incidents of abuse of local citizenry.

Church-military liaison committees and "peace and order" councils exist throughout the country to provide channels for dialogue and redress of citizens' grievances. Private lawyer groups are also involved in investigating alleged abuses.

The Government has acknowledged that various offenses, including murder, have been committed by members of government forces. It has consistently stated that it unequivocally opposes military abuses. Conclusive evidence of military abuse is often difficult to obtain, and the Government frequently uses discharge from the service as a way of dealing with suspected offenders. According to government records, during the period January-October 1982, 46 military personnel were disciplined through dishonorable discharge, demotion, termination, or criminal prosecution; 39 police personnel were reprimanded, suspended, or dismissed; and 51 military personnel were charged before the special graft and corruption prosecutor, all in cases involving civilians.

e. Arbitrary Arrest and Imprisonment

Civil rights groups tend to characterize those arrested for their opposition to the Government as political detainees, regardless of whether or not they advocate or use violent means to achieve their goals. Task Force Detainees compiles statistics on what they describe as "political detainees," including some known communist leaders. That organization asserts that there were 549 "arbitrary arrests" from January to July 1982. Many of those arrested were released. According to the same organization, 756 such detainees were being held as of August 1982. The number of detainees has tended to decrease over the last several years. Prisoners are sometimes held in the provinces without charge by the local military for a few days or weeks and are then released with no record made of the episode.

The Government asserts that no one is arrested for political beliefs, rather that those accused are apprehended for specific criminal acts aimed at overthrowing the Government. Generally, detainees who advocate the overthrow of the government are charged with subversion and rebellion, possession of firearms and subversive documents, and sometimes with crimes such as arson and murder. As of September 1982, Government figures showed 453 persons under detention and charged with offenses against national security, of whom 177 were arrested during the period January to September 1982. Government figures tend to be lower than Task Force Detainees' numbers. Reasons for the difference include a lag in the latter organization's recording of releases in the countryside, inclusion in the same organization's figures of cases which may not get into government statistics, and Task Force Detainees' categorization of some offenses as political which the Government considers common crimes.

Under a letter of instruction issued by the President, a military commander may arrest without warrant if he believes that a defendant suspected of subversion or rebellion will flee or endanger public order. The President may also issue a presidential commitment order, providing for the arrest and holding without bail of such accused. Only the President can lift such a commitment order. This procedure effectively excludes the judiciary from the arrest process in many cases. Many defendants in subversion and rebellion cases are arrested by the military either without a warrant or pursuant to a presidential commitment order. As of September 1982, presidential commitment orders had been issued on 125 occasions. A similar instrument, the arrest, search, and seizure order, had been frequently employed during martial law. In subversion cases bail is usually denied, and the defendants remain incarcerated throughout trial proceedings, which are frequently prolonged.

Habeas corpus for common criminals is available. The writ is suspended throughout the country for persons charged with subversion or rebellion. Habeas corpus is also suspended in two regions of Mindanao where the Muslim revolt continues. Defendants in subversion and rebellion cases frequently petition the Supreme Court for a habeas corpus hearing. The court often grants a hearing, but does not release defendants charged with subversion or rebellion under habeas corpus. Defense counsels claim that in most instances after a habeas corpus petition is filed access to counsel is permitted, any abusive treatment is ended, and formal proceedings are brought against the accused.

In some cases, the Government has put members of the opposition accused of subversion under a loose form of house arrest, while their cases are being tried. In practice they have often been afforded considerable freedom to move about. The Church-Military Liaison Committee, the body established to improve relations between the two institutions, has worked out an agreement whereby arrested clergy and church workers may sometimes be released in the custody of their superiors, with the understanding that the accused will appear for judicial proceedings.

In 1982, Philippine authorities arrested several priests and nuns as well as a larger number of lay church workers on serious charges including subversion and murder. One priest who was widely regarded as having joined the communist rebel forces was reported killed in an encounter with Government troops. The Government has been accused of arresting church people only because of their presence in New Peoples' Army areas or their social activities on behalf of the poor. The Government maintained that it sought merely to apprehend communist cadre who had infiltrated religious organizations, not to quarrel with the church. The raids and arrests evoked strong criticism from church figures. Some ranking clergy have expressed concern about radicalization of some clergy. The leadership of the Catholic Church and the Government have indicated that they do not seek confrontation, but rather a continuation of constructive dialogue.

Military intelligence units are charged with investigation and suppression of subversion and rebellion. Critics have contended that these units often arrest without warrant, hold persons incommunicado for days or sometimes longer in "safe houses" and military camps, and sometimes utilize torture as a method of interrogation.

f. Denial of Fair Public Trial

Both common criminals and those charged with subversive acts receive public trials in civilian courts. Because of backlogs and a shortage of judges, trials in criminal cases routinely take two to three years. "Subversion" cases have often been on trial for longer periods. Only cases left over from the martial law period are still being tried in military courts. According to the Government, as of September 30, 1982, there were in existence 11 military commissions trying 42 cases involving 145 civilians.

The right to counsel is guaranteed under law and in general is honored from the time that a person is presented at arraignment in court for the reading of the charges against him. Prior to arraignment, there are allegations by some of those charged with subversion and rebellion that they are held without access to counsel, sometimes for several weeks. If the defendant cannot afford counsel, the court will appoint one. There are several lawyers' groups, such as the Free Legal Assistance Group, which provide free assistance to alleged political offenders. The Government's Civil Legal Assistance Office and private attorney groups assist indigents.

Charges in subversion and rebellion cases are often vague and lump together various defendants and groups and alleged violations. There are some cases with multiple defendants, claiming conspiracy to overthrow the Government, with little detail provided in the charges. Members of the political opposition have sometimes been linked with subversive elements in alleged conspiracies, and some have left the country to avoid lengthy trials, restriction of movement, or possible imprisonment.

A judicial reorganization bill was enacted in 1981, but has not yet been implemented. Except for the Graft and Corruption Court, all judges in courts below the Supreme Court are to be subject to replacement or reappointment by the President after recommendation by a judicial panel. The bill was unsuccessfully challenged as a violation of the constitutionally-guaranteed tenure of judges. The stated aim of the act is to improve the efficiency and integrity of the judicial system. It has received support from some bar groups and individuals and opposition from others.

The court reorganization inevitably raised questions about the independence of the judiciary from the executive, as did other measures permitting removal of judges instituted during martial law. The case backlog continues to constitute a major impediment to the dispensation of justice. The courts rarely challenge the executive branch on major issues, but they sometimes render opinions critical of government actions and thus provide a degree of countervailing influence. The Supreme Court experienced a major scandal in 1982, causing all justices to submit resignations to the President after allegations that some of the justices had participated in a scheme to adjust the score of one of the justices' sons in the national bar examination. As a result, President Marcos accepted the resignations of two of the justices, but reappointed the rest, including one frequent critic of his administration.

A special board of military prosecutors has been designated to advise the civilian prosecutors in the handling of important subversion and rebellion cases. Defense attorneys who handle these cases assert that the military prosecutors actually run the cases, and that they have considerable influence with trial judges. Government prosecutors deny these claims. There is a right to appeal all convictions.

g. Invasion of the Home

Under the Constitution a search warrant may be issued by a judge or other authorized officer upon a finding of probable cause. The President may order a search pursuant to his powers. In some subversion and rebellion cases, accused have alleged that their property was searched without a warrant. Military personnel in areas of insurgent activity sometimes enter and destroy private property without warning.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Until late in 1982, media freedom had been expanding. The formal lifting of martial law in January 1981 had provided a psychological boost to journalists. The restrictive climate evident during the martial law period had markedly diminished. Tolerance by the Government for coverage of controversial issues, including news about opposition activities and human rights abuses, had increased, and media content had become more assertive vis-a-vis the Government. For example, the press dug aggressively into the 1982 Supreme Court bar examination scandal and had contained coverage of such issues as alleged military abuses against civilians. In December 1982, the "We Forum," an opposition newspaper, was closed and its staff arrested for alleged subversive activities consisting in part of publication of articles claiming President Marcos' war record to be falsified. The staff was subsequently released to house arrest status and their trial began. After the closure, all major daily newspapers continued to air criticisms, albeit somewhat subdued, of government policy.

There is no direct censorship, but the Government maintains informal means to influence or pressure the media. Press freedom itself was widely debated in the media in 1982, particularly by Manila columnists, and competition within and between Philippine media has intensified. In 1982, Manila acquired four new dailies, and publishers seemed increasingly willing to go to more venturesome lengths in quest of both circulation and more candid coverage to gain credibility with readers. Television and all major nationally-circulated newspapers are owned by persons sympathetic to the Government, but there are also several opposition papers circulated in limited numbers in the provinces.

Newspapers operate knowing that the Government closely scrutinizes the topics they choose and the way they treat them. The list of subjects "off-limits" to the media is shorter than it has been in years, but direct criticism of the Marcos family invites confrontation with the Government. There is no censorship of foreign books or periodicals, and correspondents for foreign media, many of whom are Filipinos, regularly cover controversial, sensitive topics head-on. Such magazines as "Time" and "Newsweek" are widely circulated, and the "Asian Wall Street Journal," "International Herald Tribune," and "Far Eastern Economic Review" are sold in larger cities.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly was generally observed in 1982. Rallies and demonstrations involving students and opposition political leaders took place to protest government policies. There were protests at the Supreme Court over the arrest of a labor leader and in downtown Manila concerning the September 1982 visit of President Marcos to the United States. A demonstration on nuclear disarmament was banned because of the suspected involvement of communist subversives. Several large opposition rallies have been held in provincial towns. Permits are required to hold public meetings. Sometimes they are granted by the authorities and sometimes not. There has been no interference with recent opposition political rallies, even those held without a permit.

The constitutional right to organize and maintain labor unions is respected. While only 12.3 percent of the 18 million-person labor force was unionized in 1981, this seems more attributable to the economic structure of the country than to legal or political inhibitions. A majority of the labor force is composed of self-employed and unpaid family workers who are traditionally not union members. The unions claim that roughly one-third of the six million wage and salary earners are organized, and in key, large scale industries the rate of unionization is about 50 percent. Affiliation with international labor federations and trade secretariats is unhindered.

The Trade Union Congress of the Philippines is the largest of the national trade union organizations and is the only one officially recognized by the Government. It follows a strategy of working with the Government to achieve its goals. Other labor groups have used more confrontational tactics, and in August and September 1982, several leaders from these groups were arrested and charged with subversion. The Government asserts that it has evidence to support the charges, and that it is trying to separate the legitimate labor activities of the unions in question from the alleged subversive activities. The affected unions deny the charges. They remain free to conduct strikes and negotiations within the existing legal framework.

The Trade Unions of the Philippines and Allied Services, the National Association of Trade Unions, and the Pambansang Katipunan ng Manggagawa are affiliated with the World Federation of Trade Unions, a communist labor front controlled by the Soviet Union. Therefore, there is persistent government suspicion regarding the motivation and sponsorship of anti-government and other labor activities instigated by such labor groups. They accordingly receive intense government scrutiny.

Labor law requires a two-thirds vote of the workers prior to a strike and permits the Minister of Labor to designate essential industries in which strikes are prohibited and arbitration is mandatory. However, the Government has in many cases been tolerant of "illegal" strikes.

As of September 1982, government statistics indicated that 78 strikes had occurred in 1982. This was a considerable decrease from the number of strikes in 1981. There were some episodes of violence on picket lines, usually involving non-government security forces and picketers.

c. Freedom of Religion

While the right to practice one's religion is fully respected, involvement by clergy and lay workers in the political process has been a source of church-government friction. There is constitutional separation of church and state. While most Filipinos are Catholic, there is a large Muslim minority in the southern regions and there are several diverse Christian groups throughout the country. Tensions rooted in history have led to friction between Muslim and Christian elements in the southern Philippines. However, the Government has taken steps to ensure that followers of the Islamic faith are accorded religious freedom. As evidence of its concern, the Philippine Government established an institute in 1982 to train leading Filipino Muslim religious and legal figures for positions in the Sharia court system, which is based on Muslim personal law. The Government's Ministry of Muslim Affairs, established in 1981, has also provided financial support to ten madrasahs (Islamic schools) and eight Islamic centers in the south. Support is designed to preserve Filipino Islamic identity and cultural heritage.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Freedom of travel generally is respected. There is free emigration. Travel taxes and fees are not excessive. Some in the political opposition in previous years experienced delays before obtaining clearances and travel documents necessary for departure. There were no reported cases of such problems in 1982. Former detainees in temporary release status need Government permission to leave the country, but in most cases have obtained it without difficulty.

As of October 1, 1982, there were some 4,800 Indochinese refugees in first asylum camps in the Philippines. The flow of Indochinese reaching the country by boat has diminished, but the Philippines continues to offer asylum and to cooperate with international organizations and foreign Governments which offer permanent resettlement to refugees. In addition to providing first asylum to boat people, the Government of the Philippines, in conjunction with the UN High Commissioner for Refugees, operates a refugee processing center (capacity 17,200) where refugees accepted for resettlement in the US and other destinations are brought from other southeast Asian countries and are given language training, cultural orientation, and vocational courses.

e. Freedom to Participate in the Political Process

As chief of state and head of the ruling party, President Marcos wields preeminent power in the Philippines. The Constitution, promulgated during martial law and subsequently further amended, provides for a strong president in a parliamentary system responsive to presidential initiative. The President appoints the Prime Minister and all major government officials and has an almost insurmountable veto and the power to dissolve the National Assembly. He controls many aspects of party affairs, appointments, benefits, and discipline. He formulates national policy, and he may legislate in times of emergency or when in his judgment the legislature has failed to act. During 1982, the President issued a few decrees and several letters of instruction which had the effect of legislation. The threat of decree has occasionally served to prompt more expeditious results in the National Assembly.

Under the constitutional amendments of 1981, an Executive Committee, composed of some cabinet members, legislators, and other regional officials, was established. Its responsibility is to assist the President and act as a caretaker during a presidential vacancy. During 1982, the committee began to assume some of the President's responsibilities in the day-to-day affairs of government.

The ruling party is staunchly loyal to the President and controls most government positions. The National Legislature is a body with 179 currently filled seats. Party discipline is strictly enforced in the legislature. Most major party decisions are taken in closed caucus. Evidently there is considerable give and take in the caucus, but the President normally makes the final decisions on major policy matters.

Over the past year there has been an increase in public debate in the assembly on sensitive legislative items by assemblymen in the ruling party. Laws on village level elections and on presidential succession procedures were openly debated. Press coverage of the debates was extensive.

There is considerable opposition political activity in the country. Opposition parties exist openly and were engaged in realignment during 1982. Two new parties were born, and a coalition of several existing parties developed. The opposition holds a sprinkling of government positions throughout the system. There are elected minority governors, mayors, and village-level officials.

The minority of 17 opposition party members in the National Assembly debates government initiatives with the ruling party. From time to time they succeed in convincing the majority to alter legislation. Press reporting on minority activities in the legislature has on occasion provided a forum for minority views. National Assembly elections are scheduled for 1984.

The 1982 elections for village councils were non-partisan. The focus of these elections was local community issues and personalities. Half of the election winners were new to their posts. The election, conducted by secret ballot, was generally considered fair. The body charged with oversight of elections is staffed with incumbents loyal to the president. In electoral protests the body has as a rule sided with the Government. The oversight body is a prime target of opposition politicians who argue that it is unfairly biased in favor of the Government.

Women participate widely in government and in the political process. They hold positions from ministerial rank down to the village level, although they are a clear minority of office holders. There is one woman on the Supreme Court, and five are members of the National Assembly. There are a few women governors, mayors, vice mayors, and provincial council members throughout the country. Women are represented in legal, diplomatic, and academic circles.

Elections to regional assemblies in two designated "autonomous regions" in the southern Philippines with large Muslim minorities were held in 1982. The autonomous regions were created in 1979 as part of the Government effort to address the concerns of the Muslim minority. A plebiscite ratified on May 17, 1982 called for the merger of two regional executive councils. Implementation of the merger has been delayed pending resolution of personnel questions. At the national level, a Muslim was appointed to the influential Executive Committee.

The Philippines has many other minority groups which live in upland areas. The Government has mounted development efforts in some areas where these groups live. This has resulted in occasional clashes with traditional values, leading to violence, and in some cases charges that tribal people were abused. The Government has suspended one major power and irrigation project in response to tribal opposition, and there is a national agency charged with assisting minority groups.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Philippines is a signatory to all United Nations human rights and refugee conventions. The Association of Major Religious Superiors of the Philippines and other church groups, such as the National Council of Churches in the Philippines, monitor human rights. The Association sponsors the work of Task Force Detainees, which prepares lists of political detainees and reports alleged abuses based on first-hand reports from relatives and witnesses. These groups operate with relative freedom, although some members have been arrested on charges of subversion and rebellion. Some are still detained.

Teams from the International Committee of the Red Cross have inspected Philippine detention centers on an almost yearly basis over the last eight years. An inspection was conducted in 1982, and the confidential findings conveyed to the Government. The Civil Liberties Union of the Philippines actively investigates and reports alleged abuses. Attorneys' groups, such as the Free Legal Assistance Group, provide legal assistance to defendants in cases with political overtones. An international workshop on human rights in conjunction with Philippine institutions and groups was held in February, and a group known as the Asian Council for Human Rights was launched by human rights figures from several ASEAN countries, including former Senator Jose Diokno, a well-known critic of the Government. In its 1982 report, Freedom House classified the Philippines as "Partly Free."

In its report dated December 31, 1981, submitted to the 38th (1982) session of the UN Commission on Human Rights, the Commission's Working Group on Enforced or Voluntary Disappearances described its inquiries into reports which it had received concerning enforced or involuntary disappearances in the Philippines. The group recorded its appreciation for the cooperation received from the Government of the Philippines.

An Amnesty International team visited the Philippines in 1981 to collect information. Amnesty indicated in its report of the mission, issued in September 1982, that its team called on the Deputy Minister of Defense who is charged with overseeing detainee affairs, but was unsuccessful in its efforts to call on more senior Philippine officials. The Amnesty report, which is available in the Philippines, charged the Philippine Government with tolerating or committing a variety of human rights abuses, including violations of judicial process, killings, and torture. The Government has criticized what it considers exaggerations and inaccuracies in the report, but has nonetheless ordered an investigation into the findings of the report and invited Amnesty to visit the Philippines again.

The international press is permitted free access in the country, and critical reporting often results from such visits. The Philippine Government has criticized foreign human rights groups for what it considers one-sided reporting and interference in its affairs. It charges the Western press with bias in its reporting of human rights matters, but continues to permit representatives of such organizations and journalists to enter the Philippines and conduct investigations.

The Ministry of National Defense has a special committee for investigating reports of human rights violations involving military personnel. Since its creation in 1979, the committee's influence in investigating instances of misbehavior and providing documentation for possible legal proceedings has been limited. However, as a result of its inquiries, a soldier was recently charged with murder in the shooting of a doctor in Samar, and four soldiers have been charged in the murder of five civilians in Camarines Norte.

4. Economic, Social, and Cultural Situation

The Philippines is a predominantly agricultural country ranking in the middle range of developing countries with an estimated per capita gross national product of $717. Real gross national product growth was above six percent during the 1970s, but was probably only about 2.7 percent in 1982. The population growth rate is about 2.3 percent annually. The inflation rate is currently about 10.5 percent. Real wages may have fallen slightly in the last year, symptomatic of the effect of world economic difficulties on the Philippines.

Philippine development strategy emphasizes rural development, focusing on agricultural productivity, roads, electrification, nutrition, and health. At the same time, the country is pursuing vigorously the development of exporting industries and commercial agriculture by the private sector in conjunction with development infrastructure, energy, domestic energy systems, and capital-intensive industries, principally by government or quasi-governmental organizations. Agriculture provides employment for approximately 52 percent of the work force, but produces only about 25 percent of gross national product and cannot productively absorb the estimated 700,000 new workers who join the labor force each year. To generate additional employment, the Government has implemented development programs, is encouraging incentive investment in industries producing for export, and has established export processing zones, allowing tax-free production for export by industries utilizing Filipino labor. In addition the Government facilitates overseas employment of Filipinos in construction and maritime activities. The Government's Kilusang Kabuhayan at Kaunlaran or National Livelihood Program, aimed at stimulating employment, supports development of cottage industries for domestic and export markets.

The Philippines is heavily dependent on earnings from commodity exports. It has been seriously affected by the sharp fall in world prices for coconut oil, copper, sugar, and forest products. Commodity industries employ an estimated 9.8 million Filipinos, and the economic slump has hit agricultural workers, those least able to cope with economic reversals, especially hard.

Government agricultural programs continue to stress increased production of food grains and pilot projects for dairy, beef, and poultry. Price support and subsidy programs for fertilizer and insecticides have provided incentives for greater production. The Philippines is self-sufficient in rice. Agrarian reform in rice and corn holdings has contributed to security of tenure or lowered rents for one million tenants who are now either amortizing owners or leaseholders.

Income distribution in the Philippines is skewed, with 41 percent of the population below a Philippine Government-defined absolute poverty level in the rural areas, and 32 percent below that level in urban areas. Chronic undernourishment is a significant problem. The Government has carried out studies and recently, working with the World Bank, has been considering adoption of a national food and nutrition program.

The adult literacy rate is 88 percent, one of the highest in any developing country. Free education is available to all through the elementary grades. Enrollment is high at all levels.

Health care remains inadequate, although the Government has ongoing programs to provide and improve delivery, especially to the poor. The infant mortality rate was 54.7 per 1,000 live births in 1980, with a life expectancy of 63.5 years.

The supply of low income housing is inadequate and the Government has initiated several programs to bring more and better housing onto the market. These programs have not yet had a significant impact. The average number of persons housed per room in 1970 was 2.4 in the rural areas and 2.1 in the urban areas.

There has been substantial migration to the urban centers, particularly Manila, resulting in a proliferation of squatter settlements. At times government efforts to remove the squatters have been criticized as harsh. Significant percentages of existing houses lack sanitary toilets or electricity. Many households, particularly in rural areas, do not have access to safe drinking water. Government electrification and water programs are continuing at a steady rate nationally.

Efforts to develop the economy and enhance the well-being of the average citizen through agrarian reform, livelihood programs, and housing, water, sanitation, and health projects have met with uneven success. These efforts have been hampered by the weak international economy, budget stringencies, and changes in priorities.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: PHILIPPINES

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	83.3	97.6	107.1
LOANS..............	31.1	28.4	25.6
GRANTS..............	52.2	69.2	81.5
A.AID	59.7	65.5	89.4
LOANS..............	31.1	28.4	25.6
GRANTS..............	28.6	40.1	63.8
(SEC.SUPP.ASSIST.)...	20.0	30.0	50.0
B.FOOD FOR PEACE.......	18.8	24.1	12.6
LOANS..............	0.0	0.0	0.0
GRANTS..............	18.8	24.1	12.6
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL..........	18.8	24.1	12.6
E.RELIEF.EC.DEV & WFP.	3.9	4.5	1.6
VOL.RELIEF AGENCY.....	14.9	19.6	11.0
C.OTHER ECON. ASSIST...	4.8	5.0	5.1
LOANS..............	0.0	0.0	0.0
GRANTS..............	4.8	5.0	5.1
PEACE CORPS......	4.8	5.0	5.1
NARCOTICS.........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	75.5	75.6	51.2
LOANS..............	50.0	50.0	50.0
GRANTS..............	25.5	25.6	1.2
A.MAP GRANTS..........	25.0	25.0	0.0
B.CREDIT SALES-FMS....	50.0	50.0	50.0
C.INTL MIL.ED.TRNG....	0.5	0.6	1.2
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	158.8	173.2	158.3
LOANS..............	81.1	78.4	75.6
GRANTS..............	77.7	94.8	82.7
OTHER US LOANS..........	27.8	69.3	8.4
EX-IM BANK LOANS.......	27.8	69.3	8.4
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	928.5	479.7	740.6	5243.5
IBRD	595.0	295.0	505.6	3463.5
IFC	9.9	40.2	21.0	164.4
IDA	0.0	0.0	0.0	122.2
IDB	0.0	0.0	0.0	0.0
ADB	298.5	135.5	213.3	1401.3
AFDB	0.0	0.0	0.0	0.0
UNDP	3.1	9.0	0.0	57.4
OTHER-UN	12.0	0.0	0.0	34.7
EEC	0.0	0.0	0.0	0.0

SINGAPORE

Singapore is governed by a parliamentary system modeled generally after that of the British. However, political power is concentrated in the People's Action Party which has won all seats in the past four general elections, with approximately 70 percent of the vote (75.5 percent in the 1980 election). The Party lost one seat in a 1981 by-election, its first electoral defeat since Singapore gained independence in 1965. Public criticism of the Government tends to be circumspect. Persons seen to be involved in pro-communist activities, activities that incite communal tensions, espionage, or drug use and trafficking are subject to prolonged detention and arrest without trial. The Government enjoys broad popular support. Its civil service is regarded as efficient and honest, and the Government's leadership is, by all accounts, free from corruption. In economic and social matters, Singapore's record for raising the standard of living and the quality of life of its population is excellent.

A multi-racial society with a dominant majority of ethnic Chinese, but with Malay, Indian, and other minorities, Singapore has experienced communal tension in the past, and the possibility of tension arising again is regarded as a threat to the nation's stability. In addition, Singapore was subject to acts of terrorism by elements of the Communist Party of Malaya through 1974. There have been no terrorist incidents in recent years, although the Communist Party of Malaya includes Singapore in its sphere of operations. In January of 1982, a group of Muslim extremists was arrested for attempting to distribute subversive literature at a large gathering. The Government of Singapore cites both the threat of insurgency and the possibility of renewed communal conflict as justification for legislation, inherited from the British colonial administration, that makes legal the arrest and detention without trial of persons suspected of activities that threaten civil order.

Two prominent political detainees were granted their freedom in 1982, subject to restrictions on future political activity. Both had been the subject of Amnesty International inquiries and had been classified among the longest-term political prisoners in the world. There were nine people under detention under the Internal Security Act in September 1982, versus 17 in February 1982 and an estimated 20 in 1981. According to a Government statement in March 1982, 10 persons were then under detention under the Immigration Act and 1,019 under the Criminal Law (Temporary Provisions) Act.

The trend during 1982 was towards a lessening of the reliance on preventive detention to control potentially subversive elements. The release of prominent detainees without the once-mandatory public confession and abjuration of communism is one sign of the Government's perception of the reduced threat Singapore faces from communist subversion. The trial of Muslim extremists in January was pursued through a regular court, rather than via detention under the Internal Security Act. At the same time, the Government has moved to tighten its control over some aspects of society. It has banned certain religious groups such as the Jehovah's Witnesses, the local branch of Sun Myung Moon's Unification Church, and the Divine Light Mission, none of which had a significant following. The activities of these movements were seen by the Government as potentially disruptive. The Government has reorganized the trade unions and the press, moves which could lead to greater control of these institutions.

1. Respect for the Intergrity of the Person, Including Freedom from:

a. Killing

There have been no reports of politically-motivated killings in Singapore.

b. Disappearance

There is no evidence that people are abducted or held in clandestine detention by official or quasi-official security forces or by elements whose activities are condoned by the Government.

c. Torture

Torture is prohibited under the Penal Code, although individual instances of mistreatment by law enforcement officers have been alleged. Amnesty International has claimed that political detainees are subject to mistreatment during interrogation. The Government, while acknowledging that interrogation procedures employ psychological stress, denies that detainees are abused or tortured. Prime Minister Lee Kuan Yew publicly announced in February 1978, that any interrogating officer who assaulted a detainee would be liable to civil and criminal charges. There have been published reports of instances in which such charges have been brought by criminal law detainees, and punitive action taken.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

There are no summary executions in Singapore. Prison conditions are spartan but adequate. Conditions for political detainees are described by some detainees as reasonably good; a number were housed in cottages with individual bedrooms and communal dining and recreation rooms. Political detainees are separated from other prisoners. Solitary confinement has been used as a disciplinary measure. Diet and access to medical care are described as adequate by some former detainees, although there are limits on food that may be brought from outside. Weekly family visits are permitted, and lawyers have access to their clients on request.

e. Arbitrary Arrest and Imprisonment

Detention and arrest without a warrant are authorized under the Criminal Procedure Code, the Banishment Act, the Internal Security Act, the Criminal Law (Temporary Provisions) Act, the Immigration Act, and the Misuse of Drugs Act. The right to counsel during detention and arrest is guaranteed only under the Criminal Procedure Code. The Criminal Procedure Code allows any police officer to arrest without a warrant and detain a person up to 24 hours. The Internal Security Act is a preventive detention statute. Investigations under that act and responsibility for detainees rest with the Internal Security Department, whose director reports to the Minister for Home Affairs.

The Internal Security Act, usually applied in political cases, validates detention without a warrant of "suspected persons" for an initial 30-day period for investigations and interrogation. After that initial detention period, a person may be detained only under an order issued by the Minister for Home Affairs.

The Government states that the Internal Security Act is necessary to counter the Communist Party of Malaya, which is active still both in Malaysia and in Singapore, and which seeks to overthrow the elected governments of both countries.

Although Communist Party membership is illegal in Singapore, the Party reportedly maintains a small network in Singapore with a modest capacity to recruit cadre, solicit funds, and procure supplies for its armed insurgency in Malaysia.

In January 1982, Singapore arrested ten Muslim extremists. The ten, all members of a group called the Singapore People's Liberation Organization, were charged with inciting communal unrest and plotting the overthrow of the Government. Five were tried and convicted in regular courts and the other five released. Those convicted received relatively lenient sentences (2-4 years in prison). The Government did not invoke the Internal Security Act to detain the group without trial.

As of September 1982, there were nine Internal Security Act detainees, according to the Government. The Singapore Government claims that all the detainees have some connection with the Communist Party of Malaya.

In January 1982, the Government released three female detainees. All three accepted conditions of release which included a prohibition on associating with or taking part in the activities of any organization which is sympathetic to the communist cause or which allows itself to be used in propagating communist ideology.

In August 1982, the Government conditionally released Dr. Poh Soo Kai. Dr. Poh had been arrested and detained in 1963 for communist-front activities. He was conditionally released in 1974 but re-arrested in 1976 for allegedly giving aid to Communist Party of Malaya terrorists. Public abjuration of communism was not a condition of his 1982 release, a pattern of the past two years; however, conditions included restrictions on movement, association, and employment. Dr. Poh accepted these conditions although he publicly denied being a communist in an interview after his release.

In September 1982, the Government ended Dr. Lim Hock Siew's exile on an offshore island. Dr. Lim is under restrictions similar to those imposed on Dr. Poh.

These releases, and the accompanying government press statements, suggest that acceptance of government-imposed restrictions on future political activity, rather than the once-mandatory individual public renunciation, may now be the normal condition of release.

Under the Criminal Law (Temporary Provisions) Act, usually applied in cases involving secret societies and narcotics traffickers, the police may detain and arrest, without a detention order or warrant for up to 16 days, any person suspected of association with criminal activities. As of February 15, 1981, 1,019 persons were under detention under this Act, about evenly divided between drug traffickers and secret society members.

The Misuse of Drugs Act allows Central Narcotics Bureau officers or customs officials to arrest without a warrant any person suspected of manufacturing, importing, exporting, possessing, consuming, or trafficking in controlled drugs. Persons actually arrested are tried in court. A few individuals have maintained that they were not drug-users and were improperly detained but, so far, have failed to substantiate their allegations in court. The Government has maintained that adequate safeguards exist to prevent innocent persons being detained.

f. Denial of Fair Public Trial

The right to a fair public trial is observed except for persons detained under the provisions of the Internal Security Act and the Criminal Law (Temporary Provisions) Act, although the right to trial by jury has been replaced by trial by magistrate or judge. The Government defends its policy of detention without trial in security cases on the grounds that "open trial" of communists is not possible, as witnesses and officials have been intimidated or killed. The basic tenets, practices, and precedents of the Singapore judicial system are derived from British jurisprudence. Defendants may appeal civil verdicts to the Court of Criminal Appeal and from those appellate courts (because Singapore is a member of the British Commonwealth), defendants may appeal to the Judicial Committee of the Privy Council in London.

The judiciary's independence from the Government is not complete. Subordinate court judges (magistrates) and prosecutors are civil servants in the legal service. The Ministry of Law can freely transfer them from magistrate to prosecutor positions or to the legal offices of other ministries and statutory boards. Superior Court (High Court) judges, including the Chief Justice, are normally appointed to retirement age (65) by the President on the recommendation of the Prime Minister and cabinet. Some of the seven high court judges, however, hold what amount to probationary appointments for fixed terms, frequently one year. Lawyers practice free from Government interference. Citizens can successfully take Government agencies to court over such matters as compulsory land acquisitions and compensation but the Government has not lost a case which questioned a major aspect of its policy. While habeas corpus exists in theory, the Government, as noted earlier, has adequate legal powers to detain persons free from court intervention.

g. Invasion of the Home

Search warrants are normally issued by a magistrate. If a magistrate is unavailable a senior police officer may issue the warrant. The Criminal Procedures Code and the Misuse of Drugs Act provide, however, for search without a warrant. The former is justified on the grounds of forestalling escape, and the latter is justified on the grounds of forestalling the destruction of evidence. Officers making such an entry are subject to "post-invasion" investigation of the facts to show some degree of probable cause.

Under a recent amendment to the Prevention of Corruption Act, officers of the Corrupt Practices Investigation Bureau down to the grade of assistant investigator are authorized to carry out searches without warrant in cases of persons suspected of bribery or other forms of corruption.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech and press are circumscribed. The Government forbids activities or public statements that might arouse communal tensions between the dominant Chinese and the Malay or Indian minorities. In the past, the Government has invoked the Internal Security Act to arrest and detain persons accused of arousing communal tension, but no one is currently being held for that charge.

There is censorship of motion pictures, magazines, TV, plays, and VTRs -- primarily to prevent the spread of pornography and drug abuse and to limit discussion of certain ethnically sensitive topics. There is no prior restraint of the press, but the press understands the limits within which the Government expects it to operate: as a partner in informing and educating people rather than as a critic of broad policies. The Minister for Culture said in a March 25, 1982 statement in parliament that the Government would not allow "any room for anyone to disturb the internal peace or stability of our nation." The press is also mindful of the need for annual renewal of publishing licenses. In recent years, however, the press has broadened its reporting into criticism of some areas of public policy, and also publishes opposition viewpoints on occasion. Singapore's lone opposition member of parliament has been given the chance to air his views in the press although People's Action Party attacks on those views have been given much greater prominence. The Government monitors the press and has been known to call editors to task for what it sees as incorrect or irresponsible reporting.

In 1982 a recently retired senior civil servant was appointed as the executive chairman of the "Strait Times Press," Singapore's leading English language newspaper, and the Prime Minister's press secretary was made a board member of the "Singapore Monitor" group. While it is popularly believed that these appointments would result in greater government role in the press, it has thus far not been demonstrated that this is the case.

In April 1982, the Government carried out a major reorganization of Singapore's press. The Prime Minister's office announced the reorganization with a statement that the changes were undertaken to ensure the viability of the Chinese press.

The Singapore Broadcasting Corporation, which is owned by the Government, has a monopoly on locally produced domestic radio and television. The BBC world service is available on FM in Singapore and Malaysian radio and television can be received. Virtually all major English language news publications from the US and the UK are readily available, free from censorship.

b. Freedom of Peaceful Assembly and Association

Assemblies of more than five persons in a public place, including political rallies, are allowed only if a police permit is obtained beforehand. Except during election campaigns, the Government forbids open-air political rallies or meetings.

The Societies Act gives the Government considerable leverage over associations. To operate legally in Singapore, associations, societies, clubs, and churches with more than ten members must be registered with the Government. Registration is denied to societies with triad (Chinese secret society) rituals, those the Government views as likely to be used for unlawful purposes or for purposes prejudicial to public peace, welfare, or good order, or those whose registration would be contrary to the national interest.

c. Freedom of Religion

There is no established religion in Singapore. A Presidential Council on Minority Rights exists to ensure that legislation does not infringe on the rights of ethnic or religious minorities. The Government has, through the Societies Act, restricted religious sects with views the Government considers inimical to social order. In 1972, the Jehovah's Witnesses were banned and their registration under the Societies Act revoked because their teachings opposed national service and urged male adherents to refuse to report for military duty. In June 1982, police arrested and fined 29 persons for holding illegal meetings in defiance of the Societies Act and seized a quantity of the Witnesses' publications.

In April 1982, the Government similarily banned the Holy Spirit Association for the Unification of World Christianity, the Singapore branch of the Unification Church, as being "prejudicial to public welfare and good order." The Divine Light Mission was denied registration on similar grounds in April and in July police arrested seventeen members of the sect. Two were fined $470 each for carrying on the group's activities without an approved registration. In March, the Government closed a religious school, The School of Missions run by the Jesus Saves Mission, after parents complained that students were being coerced into abandoning their other studies in order to become mission workers.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Internal Security Act empowers the Minister for Home Affairs to suspend a detention order, subject to the execution of a bond, and to impose restrictions on an individual's activities, places of residence, and travels outside of Singapore without permission of a specified authority. The power of revocation rests with the Home Affairs Minister.

There are no other limitations on freedom of movement within the country, although changes of address must be reported to the Government within 14 days. All Singapore residents over the age of 13 are required to register with the Government and to receive an identity card. An individual may be denied a passport at the Government's discretion. Passports are also generally denied to persons convicted of serious crimes, including drug trafficking, kidnapping, murder, or assault committed during a robbery.

As of August 1982, a total of 27,521 Indochinese refugees had been granted temporary safehaven in Singapore. Except for a handful of direct arrivals by boat or stowaways, this total is composed entirely of Indochinese refugees rescued at sea by foreign-registered vessels and brought to Singapore. Only 109 refugees have been accepted by the Government for permanent resettlement.

Singapore also permits refugee transits of Singapore into and out of the regional refugee processing center at Galang Island, Indonesia. The United Nations High Commissioner for Refugees staff, other international organizations, and United States refugee program personnel have free access. The general treatment received by the refugees is good. However, refugees are not admitted unless their departure is guaranteed, and Singapore has shoved off boats in the past.

e. Freedom to Participate in the Political Process

Non-communist, non-communal parties are legally free to organize. There are 17 registered opposition political parties but only one opposition party member is currently serving in parliament. The opposition parties attribute their repeated electoral losses to historical, institutional, and security factors which inhibit their full participation in the political process. Participation in the political process outside of the People's Action Party is discouraged. Trade unions, student unions and other groups have been denied by law any function of an opposition.

The Government justifies the close monitoring of opposition parties and tape recording of campaign speeches, on the grounds of possible prohibited communist participation in the elections and potentially libelous statements. The successful prosecution of libel and defamation suits against opposition parties and politicians following the 1972 and 1976 elections bankrupted several opposition politicians, and since bankrupts are barred by law from political activities, this has resulted in removing them from the political arena.

Women generally enjoy equal legal rights. The 1969 Women's Charter safeguards the position of women through regulation of marriage and divorce based on the principle of monogamous marriage, and protects women from exploitation for purposes of prostitution. The Charter also guarantees married women the right to engage in their own trade or profession, to acquire, hold, and dispose of property in their own right, and to use their own names. Muslim women's rights are protected by the provisions of the 1957 Administration Muslim Law Act, which permits women to apply for divorce, requires consent of both parties for divorce to be registered, and provides for women to hold and dispose of property. Women have voting rights and the right to equality of economic opportunity under the law, although the Government has not yet been able to eliminate all discrimination against women workers. There are no legal restrictions on full participation by women in the political process. However, there are no women members of parliament, and few in the top ranks of the civil service.

Singaporean women do not have equal rights with men in the transmission of citizenship to their children. A Singaporean woman, married to a foreigner, does not pass Singaporean citizenship to a child born outside of Singapore whereas a Singaporean male does pass the right to Singapore citizenship to children born outside the country regardless of the mother's nationality. This rule derives from nationality laws based on the British model.

Singapore has approximately 224,362 union members (about 30 percent of the organizable labor force). At the end of 1981 there were 86 registered trade unions. Ninety-six percent of the unionized workers belong to unions affiliated with the National Trades Union Congress, which is closely associated with the ruling People's Action Party. The right of registered trade unions to organize workers, strike, and bargain collectively is provided by law within strict limits defined and cited by the Government in its dealings with labor unrest. According to the Trade Unions Act, the Registrar of Trade Unions may dissolve the union if he believes "...that it is necessary in the interests of the workmen..." This has a chilling effect on the willingness to strike, and therefore, strikes are rare, with none since June 1977. Procedures are provided for arbitration and conciliation of disputes. The National Trades Union Congress recently restructured its two omnibus unions into nine industrial unions, in the process assuring itself of greater centralized control over union actions in industrial disputes. Unions and professional associations do maintain relations with recognized international bodies in their fields. In September 1982, the Government proposed amendments to the Trade Unions Act which would more carefully define a union. Some 45 unions representing employers or self-employed persons would cease to be recognized as unions and revert to the status of trade associations. These amendments await action in parliament.

In April 1979, the Singapore Government renounced its adherence to International Labor Organizations (ILO) Convention 105 on forced labor. Since 1974, the IlO had asserted that persons detained under the Internal Security Act and other acts were subject to punitive labor. When the ILO rejected Singapore's description of such labor as vocational rehabilitation (to which only criminal offenders and not political detainees are subject), the Government renounced the convention.

3. Government Attitude Regarding International and Non-Governmental Investigations of Alleged Violation of Human Rights

In general, the Government reacts defensively to foreign criticism. For example, Prime Minister Lee Kuan Yew withdrew the People's Action Party from the Socialist International in 1976 when one of the other members criticized Singapore's use of the Internal Security Act.

Amnesty International's latest report describes its continuing concern in 1981 about political prisons, but also discussed the release of some political prisoners. Freedom House rates Singapore "partly free."

4. Economic, Social, and Cultural Situation

Singapore is an urban city-state with a strong and prosperous free enterprise economy. Private ownership of property is a basic feature of Singapore's economy. The standard of living is rising steadily, with an average real annual growth rate of 9.4 percent during the 1970's (9.8 percent for 1981). The per capita gross domestic product was $5,112 in 1981. Unemployment was very low (2.9 percent in 1981) and inflation relatively moderate (10.4 percent).

In 1981, the population growth rate was 1.2 percent and total fertility rate was 1.7. The success of Singapore's population program is based on wide-ranging disincentives to third children including restricted access to the better schools, the tax code, and provision of medical benefits. In 1981, life expectancy at birth was 71.4 years, and the infant mortality rate was 11.7 per 1,000 live births. One hundred percent of the population had access to safe water by 1979.

In 1982, 71 percent of the population was housed in well-designed apartments built by the Government mostly over the last decade. Of people living in public housing estates, two thirds have purchased their apartments, largely through a program that finances the purchase through the equivalent of social security accounts.

Education is not compulsory, but free primary education is provided for children of all Singapore citizens. Education through the university level is of high quality and is provided at modest cost, although entrance to tertiary education is highly competitive. The primary school enrollment ratio was 107 percent in 1979. In 1970, the adult literacy rate was 69 percent, while by 1981, it had increased to 84.2 percent.

Women have equal educational opportunities and comprise half the primary and secondary school population and almost half of the student enrollment in universities and teacher-training and technical institutions.

The civil service generally has followed the principle of equal pay for equal work for men and women since 1962, although a 1981 seminar on the status of women identified instances where civil service benefits are not equal for men and women. Equal pay is not the rule with private employers. In 1980, the median gross monthly income of female workers was 74 percent of that of male workers. The gap partly reflects the concentration of women in traditional low-paying occupations and their lack of seniority in the work force.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: SINGAPORE

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE........	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS.......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER.............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	18.8	19.9	0.0	414.6
IBRD	0.0	0.0	0.0	209.4
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	15.1	19.0	0.0	181.1
AFDB	0.0	0.0	0.0	0.0
UNDP	3.7	0.9	0.0	23.5
OTHER-UN	0.0	0.0	0.0	0.6
EEC	0.0	0.0	0.0	0.0

SOLOMON ISLANDS

Solomon Islands is one of the largest of the Pacific Island states. Its 234,000 people have been governed, since the country attained independence from Great Britain in 1978, by a Westminster-style democracy. There are two major political parties and a large independent group in the parliament; deputies are free to criticize government actions and intitatives, and do so. Since 1978 Solomon Islands has had two governments; the first fell on a parliamentary vote of no confidence, the second is still in power. The change was accomplished calmly and in conformity with the Constitution.

Solomon Islands is a developing country which depends primarily on agricultural exports and external aid for its income. The country's mineral resources have not been adequately surveyed, although bauxite deposits have been identified, and small gold deposits are worked. Fishing is a rich resource, one the Solomons Government plans to develop as soon as it can.

The Solomons Government has endeavored to develop the nation's economy; its efforts have been stymied, to some extent, by the world economic crisis -- in particular the low price of copra and the high cost of imported petroleum. The economy is one of free enterprise, and foreign investment is welcomed.

Solomon Islands is a conservative, overwhelmingly rural, traditional Melanesian society. The family is the principal social unit, and its hold over members remains strong. Christianity, the religion of nearly all Solomon Islanders, also exerts great influence on the society. These factors, added to a colonial legal legacy of respect for individual rights, contribute to the excellent record Solomon Islands has established in its respect for human rights. There have been no significant human rights violations in the country since independence, nor have there been any changes in Solomons' observance of human rights over the past year.

1. Respect for the integrity of the Person, Including Freedom from:

a. Killing

Politically-motivated murder is unknown in the Solomon Islands.

b. Disappearance

Forced disappearance of persons does not occur in the Solomons.

c. Torture

Torture is forbidden by the Constitution and is not practiced.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Inhuman or degrading treatment or punishment is illegal and is not practiced. Treatment of prisoners is fair and humane and conditions of imprisonment are satisfactory to Solomon Islands citizens.

e. Arbitrary Arrest and Imprisonment

Arrests are made in accordance with the Constitution and the law, and police must advise any person detained of the reasons for his arrest. There are no political prisoners in the

Solomon Islands. Habeas corpus is a principle of law; coerced statements are not admissible in the courts, and civil rights violations are punishable by fines or by jail sentences.

f. Denial of Fair Public Trial

The right to a fair hearing and trial is guaranteed by law and is honored in practice. Defendants are entitled to counsel and may consult with counsel freely and in private. The Constitution provides for a public solicitor whose function is to provide legal aid, advice, and help to the public. Defendants are advised of the charges against them, and their lawyers can inform themselves of the evidence on which charges are based. The Solomon Islands court system is independent of executive and military control. There are no special courts to deal with security or political defenses. The high court has a wide review authority over the lower courts. An ombudsman investigates complaints against the Government.

g. Invasion of the Home

Rights of privacy and property are guaranteed in the Constitution, and are respected in practice. A warrant signed by a magistrate is required to search private premises.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Free speech is guaranteed by the Constitution and observed in practice. A free press exists, with both privately-owned and government newspapers; there is no censorship. Only one radio station is in operation, which is government-owned, but radio broadcasts from New Guinea can be heard in the northern islands and shortwave radios are common, at least in the urban areas.

b. Freedom of Peaceful Assembly and Association

Freedom of association and assembly are guaranteed by the Constitution, and the right to form trade unions and political parties is protected by law. Unions in the private sector have the right to strike; the civil service is unionized but may not strike. Union members do not, as is the case with most predominantly agricultural societies, make up a large portion of the labor force. The country's largest trade union is the Solomon Islands National Union of Workers; it and other smaller unions may, and do, freely organize workers.

c. Freedom of Religion

Freedom of religion is guaranteed by the Constitution and observed in practice.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

There are no restrictions on freedom of movement within, into, or out of the Solomon Islands. Any citizen may obtain a passport for a reasonable fee.

e. Freedom to Participate in the Political Process

There is universal adult suffrage for citizens 18 and older. Any citizen 21 and above may run for a variety of elective offices. The Electoral Commission oversees registration and ensures fair elections. The European and Chinese minority populations are not discriminated against. Women have equal legal rights, but for traditional, cultural reasons rarely run for office.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There have been no allegations related to human rights against the Solomon Islands Government or any requests for investigations by outside organizations. Freedom House in 1982 called the Solomon Islands "Free."

4. Economic, Social, and Cultural Situation

The Solomon Islands economy grew at an average of eight percent per annum in the 1970's; it suffered a sharp turndown in 1980 and has not yet recovered its former buoyancy. The country's economy is heavily dependent on commodities, especially copra, which currently command exceptionally low prices. This situation has caused the Government to tighten its budget and has reduced the monies available for economic and social infrastructure. Foreign economic assistance continue to support much of the Government's development programs.

Health, education, and other social services are available on a non-discriminatory basis. Although Solomon Islands is one of the poorest of South Pacific states, with a per capita income of $470 a year in 1980, the GNP per capita has tripled since 1960 and has done so despite a population growth rate of 3.4 percent per year (1970-79). There is an adequate supply of food. The infant mortality rate is 52.4 per 1,000 live births, but has fallen over the last decade. In 1970, 95 percent of the urban population and 24 percent of the rural population had access to safe water. The adult literacy rate in 1980 was estimated at 60 percent; the percentage of primary school-age children enrolled rose from 61 in 1960 to 73 in 1970.

THAILAND

Thailand's government is a constitutional monarchy, with a strong executive branch and a bicameral legislature composed of a 300-member elected lower house and a 225-member appointed Senate. Since 1932, Thai politics have, in fact, been dominated by the military.

The Prime Minister and members of his cabinet are subject to parliamentary no-confidence votes, although they themselves need not be elected. National elections were held in April 1979 and the current Prime Minister, General (ret.) Prem Tinsulanon, was selected by the Parliament in February 1980. The next elections are scheduled in the spring of 1983 when the current four-year parliamentary term expires.

Thailand is a middle-income developing country with a free enterprise system. Its economy remains primarily agrarian and it is one of the world's few net food exporters, but it also has a rapidly expanding, light industrial sector concentrated around the Bangkok metropolis. The country has maintained an average real growth rate in the seven percent range for two decades, has cut its birth rate to two percent or less, and continues to expand both economic infrastructure and social services. However, problems and inequities remain, notably a classic urban/rural income disparity, but the Government recognizes these difficulties and seeks to address them.

Thailand is making progress in meeting the basic human rights and needs of its population. The infrastructure of democracy is evolving under the terms of the constitution promulgated in 1978 which foresees an increase in the powers of the elected house in 1983. The press is generally open and free, political gatherings and associations are allowed, and freedom from arbitrary detention or search is generally safeguarded, notwithstanding some restrictive laws still in effect. Human rights activists in Thailand are able to bring issues to the attention of the public and lobby for corrective action.

Communist insurgents, ethnic separatists, and organized groups of criminals operate in rural areas and use terrorism to advance their respective aims. Armed communist insurgents have continued to mount attacks on government installations and civilians who resist proselytizing, although in recent months communist strength has markedly declined owing to a number of factors including government programs and internal Communist Party strife. The Royal Thai Government has recently emphasized political rather than military means to counter subversion and has moved over the last year to impose greater control on paramilitary forces accused of abusing special security powers.

Thailand has continued its policy of affording refuge and assistance to Indochinese refugees, in close cooperation with international organizations, third countries, and private voluntary relief agencies. As of September 30, approximately 170,000 Khmer, Lao, and Vietnamese refugees were sheltered in camps in Thai territory. Another 200,000 Khmer lived in self-administered encampments along the Cambodian border. On July 16, 1982, the Government initiated a UN High Commissioner for Refugees-funded program to suppress pirates who prey on Vietnamese boat refugees and Thai seamen. Trials of pirates arrested during an earlier US-funded program continued, resulting in several convictions and lengthy prison sentences.

Although considerably less frequent than in 1981, sporadic terrorist and insurgent incidents continued in 1982, calling attention, inter alia, to separatist activities within the ethnic Malay Muslim minority in the far south of Thailand. While language and cultural barriers disadvantage the Muslims, there is no overt policy of discrimination. Muslims living in the four provinces in the south have the right to have civil cases decided by Muslim judges who base their verdicts on Islamic law. The Government has given priority attention to the improvement of administration and development in the south, including the building of mosques.

Notwithstanding the security threat from Indochina, the percentage of the government budget dedicated to development remains high and unchanged. Of particular importance is the national drive to eliminate health disparities among regions and between the urban and rural sectors. Continued attention will be paid to population planning programs with the aim of generally improving the lot of women and further integrating them into the economic life of the country.

1. Respect for the Integrity of the Person, Including Freedom from:

   a. Killing

Murder is not an instrument of government policy. In rural areas, communist insurgents, ethnic separatists, narcotics traffickers, and organized groups of criminals employ violence in their activities. The Government has taken steps to reduce the level of rural violence, focusing in particular on abuses of authority by paramilitary forces operating against insurgents.

In 1982 journalists noted that a large number of journalists had been killed in rural areas, but though this issue caught the attention of local human rights groups, there was no suggestion from any quarter that the murders were political in nature. The political aspects of the problem are difficult to assess as many Thai who label themselves journalists are freelancers, sometimes with business interests and only a nominal attachment to the profession. The Coordinating Group for Religion in Society, a Thai human rights group, has alleged a police department death squad exists to eliminate habitual criminals operating in the rural areas. These allegations are unsubstantiated and have received little attention even in the crime-oriented popular press.

   b. Disappearance

Local human rights groups have alleged the disappearances of persons suspected of communist or criminal activity, and ascribe these to actions by police officers or rural paramilitary units. The alleged incidents have been scattered, occurring mainly in rural areas experiencing problems with communist or separatist insurgency, where confirmation is difficult to obtain. Reported incidents are infrequent. Communist insurgents nationwide and separatists in the south have used terrorism as a political weapon resulting in the deaths of civilians and government officials. The Communist Party of Thailand continues to use assassination as a tool to intimidate villagers and low-level government officials.

   c. Torture

Torture is not an instrument of government policy. Allegations of such treatment have been made in the past by the Coordinating

Group for Religion in Society as well as other activists, but there were no new, substantiated allegations in 1982. There are recurring allegations of mistreatment by the police of persons arrested on criminal charges.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Although the Thai Government has stated its opposition to the use of cruel, inhuman, or degrading punishment, the Coordinating Group for Religion in Society, in its periodic reports, has cited alleged cases of brutality and mistreatment by police and military personnel and has asserted that most of these offenders go unpunished. The majority of cases allegedly occur in rural areas where communist insurgency is a problem. Clear evidence remains difficult to obtain.

According to credible human rights activists in Thailand, abuses of authority such as torture, abduction, cruel and inhuman punishment or treatment, and arbitrary arrest and imprisonment have declined over the last several years, due in part to unfavorable publicity which focused on incidents of this type. This publicity has led to a tightening of discipline and efforts to exert better control over police and paramilitary forces.

Prison conditions in Thailand are poor as a consequence of serious overcrowding, low government expenditures, limited staff, corruption, and the high incidence of drug use among prisoners. Prisoners are subject to strict regulations which include corporal punishment for infractions.

About one-fifth of the prison population was released in 1982 under a general amnesty in connection with bicentennial celebrations, but over 60,000 remain in jail occupying cells designed to hold about 34,000. Prison conditions according to the prisoner's social status and relative affluence as well as the nature of his offense. In rural areas there are allegations that detainees, who have not been formally charged, are used as unpaid labor. Overall, however, there seems to be no systematic discrimination save that Westerners are generally given preferential treatment.

In 1982 newspapers and civil rights groups continued to draw attention to the plight of 30-40 illegal aliens who have been detained for periods of up to 19 years. These inmates are the last of some 213 persons who entered Thailand illegally. Subsequently they were convicted of crimes and ordered deported. Their respective countries of origin, however, refused to accept them back and they remained in detention until December 1980 when most were released. Those who remained in detention lack documentation and sponsors and in the latter half of 1982 the Thai authorities have not processed their cases further.

e. Arbitrary Arrest and Imprisonment

Martial law powers allowing arbitrary arrest and imprisonment were significantly reduced by the repeal of Martial Law Order No. 22 in 1979. At present, the only remaining legal basis for imprisonment without trial, other than severely limited provisions of martial law remaining in effect, is a provision of the Anti-Communist Act which provides that person accused of communist activities can be detained for up to 210 days with the approval of the police Director-General and up to 480 days with the permission of a military or criminal court. Accurate figures on persons held under this provision are not available, but the number appears to be less than 1000 concentrated in southern Thailand. According to local human rights groups these detainees have not been mistreated.

The Prem Government has deemphasized the Anti-Communist Act, making greater use instead of orders which emphasize political measures including a broadened amnesty program.

f. Denial of Fair Public Trial

The Constitution of 1978 guarantees Thai citizens the presumption of innocence and access to courts or administrative bodies to seek redress. They have the right to legal counsel in all cases before a court but may be denied that right during the pretrial or investigative period. After this initial stage, however, defendants have the right to counsel throughout the trial and appeal stages. The Cabinet, in 1981, approved a pilot program to provide free legal advice to the poor.

At present a proposal is under consideration by the Parliament to liberalize the criminal procedure code. This amendment provides for free legal assistance under certain conditions and will allow suspects to have confidential legal counsel during the investigative phase, visitors during this period, and the right to contest extensions of the pre-trial period of detention. Human rights leaders in Thailand believe that this revision of the criminal code would be a significant advancement in the rights of a defendant.

Through mid-1982, Thai human rights activists continued to express concern for approximately 100 prisoners who were sentenced to jail during period 1975 - 1978 on criminal charges. Under laws in force at that time, they were given summary justice without a trial or counsel. Amnesty International's report for 1981 also took note of this situation. Thailand's Justice Minister told the press in October 1982 that the special committee he chairs was continuing its review to establish which prisoners would be freed. He said that more than half of the 200 people originally arrested have already been released. Amnesty International in its 1982 Report stated its concern with the use of detention without trial for political offenses. Amnesty also took note of the recommendation of the special committee in November that the remaining prisoners should be pardoned.

There is no evidence of clandestine imprisonment. The Thai have an evidentiary legal system, although not a jury system. Cases are heard on the basis of specific -- usually well documented -- charges which must be brought within a limited time period. Military courts have jurisdiction over cases involving internal and external national security, Thai relations with other nations, and offenses against the royal family and public peace. Cases involving sexual offenses and crimes constituting a public danger or a threat to the life, limb, or property have been handled in the civilian courts since 1980.

Persons tried in both the military and civilian courts enjoy a broad range of legal rights including the right to counsel, but a decision by the military court is final, whereas a decision by a civilian court can be appealed to a higher court.

g. Invasion of the Home

Thai law requires that police possess a search warrant prior to entering an owner's home without his consent. Depending on the nature of the offense, these warrants are issued either by the public prosecutor, the courts, commissioned police officers, district and military officers, or governors. There have been allegations that most officers endorse warrants in advance and then allow their subordinates (non-commissioned officials) to apply them as needed. Sections of the Anti-Communist Act allow searches without warrants when officials are involved in specifically designated "communist suppression operations." These powers appear to have been used sparingly, however.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Basic freedoms and rights are affirmed in the Constitution of 1978. In practice, Thai citizens enjoy substantial freedom of speech, and criticism of government policies is permitted. There are restrictions against insulting the monarchy or advocating a communist system of government. The Thai press is privately owned, open, and often critical of the Government, but operates under the restrictions imposed by the Press Law of 1941 and the Martial Law Order 42. These laws allow the Government to close newspapers and revoke the licenses of editors of newspapers which publish stories deemed to be libelous or contrary to national security interests.

Continuing a positive trend, in 1982 there were few closings of newspapers or magazines for violating provisions of these laws. In April 1982 the daily newspapers "Matuphum" and "Mathum" were shut down for a brief period after they printed articles satirizing the royal guard. During the summer, "Kho Chaturat," a political weekly magazine, and "Nakhomthai," a tiny daily newspaper, were temporarily closed.

For the most part, the domestic press in Thailand continues to be open and candid and the Government's relations with domestic media have been generally good. Awareness of governmental powers over the press does act as a restraint on local press activities and on groups lobbying for a lifting of Martial Law Order 42.

The Government regulates television coverage of international news, requiring that satellite news broadcasts be prescreened. International publications circulate freely in Thailand.

Early in 1982 the Thai Government banned the sale and distribution of the "Asian Wall Street Journal" for two months after the newspaper published an article speculating on the monarchy's future. In July one of the "Asian Wall Street Journal's" Bangkok-based correspondents was expelled for two months for writing an article on the Thai-run "austere" camps for Vietnamese refugees. Despite theseincidents and other frictions, the Thai Government has not restricted the activities of the more than 100 foreign journalists based in Bangkok. It has adopted a new policy, however, of issuing visas to journalists valid for only six months rather than one year.

b. Freedom of Peaceful Assembly and Association

Martial Law Order 4 remains nominally in effect, prohibiting political gatherings of five or more persons. Since 1979, however, organized labor, politicians, and various special interest groups have held sizeable rallies without significant interference from the authorities.

The Prem Government has maintained a moderate policy toward organized labor and generally has not restricted the development of the labor movement or labor's participation in political activities, but less than ten percent of the labor force in non-agrarian occupations is unionized. In 1982 Thailand's largest labor congresses began taking a more active role in Thai politics and several labor figures founded the Labor Democratic Party, as yet a minor party, to promote labor interests through electoral politics. Unions in the private sector as well as some state enterprises have the right to strike if negotiations in accordance with Thai labor laws fail to resolve the dispute. In practice, the Government has rarely acted even when the negotiating requirements of the cumbersome Labor Law have been ignored. Workers are represented on the Government wage committee, on the National Labor Advisory Board, and on the labor courts, which arbitrate labor dispute and grievances. Unions have the right to maintain relations with international organizations that promote the interests of labor.

c. Freedom of Religion

Freedom of religion is permitted throughout Thailand and is protected by law and custom of long standing. Theravada Buddnism is the state religion and the King is required to profess the Buddhist faith. About 80 percent of the Thai practice Buddhism. Thailand nevertheless is a secular society and there is a clear-cut separation between state and church. There are no restrictons on religious ceremonies or the teaching of religion nor is conversion from one religion to another prohibited. There is no discrimination against or persecution of those affiliated with minority religions such as Christianity or Islam. The Government has taken pains to demonstrate to the Muslim communities, which are the majority in Thailand's southern provinces, that the Government will provide support for Islamic institutions such as Koranic civil law. There is no special advantage in being Buddhist in Thailand, though the vast preponderance of senior Thai officials and political leaders are at least nominally Buddhist.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Apart from long-standing restrictions on the travel of Vietnamese aliens living in Thailand, the only limitations of travel are restrictions on entry into certain rural areas believed by the Government to be used as bases by communist insurgents. There are no restrictions on foreign travel or emigration. Citizenship revocation is rare and there have been no more than a handful of such cases in recent years. Thailand is the first-asylum country most affected by the refugee exodus from Indochina. Since 1975 almost 600,000 persons from Vietnam, Laos, and Cambodia have fled to Thailand. They include 94,000 Vietnamese, 210,000 Khmer, and 272,000 Lao. About 400,000 have so far been resettled in third countries. As of late 1982 some 170,000 refugees remained in camps in Thailand. The Thai Government has not permitted permanent resettlement of these people in Thailand. About 50,000 Vietnamese with alien status from the French-Indochina war remain in Thai villages and towns, primarily in the northeast. Although no large-scale forcible repatriation has taken place since 1979, local Thai authorities forced 350 Hill tribes people to return to Laos involuntarily in June 1981. Local authorities in the coastal provinces have also recently pushed off boats of refugees from Vietnam.

The United Nations High Commissioner for Refugees (UNHCR) has so far not succeeded in negotiating a program of voluntary repatriation for Khmer refugees with the Phnom Penh authorities. The Government has continued to assist Khmer voluntarily relocating from camps in Thailand to the border concentrations. Since mid-1980, of the 165,000 Khmer who entered Thai camps in late 1979 and early 1980, about 39,000 have relocated to the border.

A formal UNHCR repatriation agreement with Laos in late 1980 has resulted in the return so far of about 1,700 lowland and highland Lao with UNHCR assistance. Since mid-1979, Thailand has permitted a number of self-administered Cambodian population concentrations to exist along the border, some entirely or partially in Thailand. The population has fallen from about one half million in mid-1980 to about 220,000 in late 1982. Thailand has facilitated provision of food and medical care by international and voluntary agencies to the border concentrations.

Since February 1980, the Thai Government has refused to allow any new Khmer arrivals to enter Thailand. In May 1981, this policy was extended to bar admittance of Vietnamese who crossed Cambodia overland seeking refuge in Thailand. By December 1982, more than 2,400 Vietnamese refugees were held in camps with poor sanitary conditions along the Thai-Cambodian border. By the end of the year, however, the RTG agreed to allow many of those refugees to be proposed for third-country resettlement. Processing began in early January.

During 1981, the Thai Government imposed strict new measures on lowland Lao and Vietnamese refugee arrivals in hopes of deterring potential refugees from seeking asylum in Thailand. Lowland Lao refugees who arrived after January 1, 1981 and Vietnamese boat refugee who arrived after August 15, 1981 are housed in "austere" camps and prohibited from applying for third-country resettlement. This "humane deterrence" policy continued during 1982.

e. Freedom to Participate in the Political Process

Since 1932 Thai politics have been dominated by military leaders. The present cabinet has a majority of civilians, although Prime Minister Prem was an active duty general when he came to power through constitutional means in February 1980 after the resignation of General Kriangsak. Prem was selected by the National Legislative Assembly.

The Thai political system is relatively open. Citizens participate in active opposition parties. Opposing views are presented both within the National Legislative Assembly and through the mass media. The Communist Party of Thailand is the only political party which is outlawed. The most recent national elections were held in April 1979 to elect the members of the lower house of the National Legislative Assembly. All political parties, were allowed to participate except the Communist Party. The elections were generally considered fair and open. National elections are scheduled to take place in April 1983. The great majority of Thai, both men and women, have the right to vote: there are constitutional requirements which in certain cases prevent the Thai children of alien parents from voting.

Women have equal rights under the law in Thailand and are well represented in the labor force. Women fully participate in the political process, but are under-represented at the political leadership level as well as in some professional fields, top management, and high government positions.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

In the past year the Thai Government has permitted international groups to investigate prison conditions and the Government has responded to specific inquiries from Amnesty International, the International Commission of Jurists, and the International Committee of the Red Cross (ICRC).

Local civil rights groups are active. The Lawyer's Association of Thailand has played a leading role in opposing the martial law restrictions on civil liberties which remain in effect. The Coordinating Group for Religion in Society has been particularly active in drawing attention to abuses of authority by rural officials. The Union for Civil Liberty has also been active in bringing to public view alleged human rights violations. The Federation of Journalists of Thailand has campaigned openly to have the legal restrictions on the press lifted. The Justice and Peace Commission seeks to make the rural population aware of its legal rights.

During the past year, domestic groups interested in human rights have not been obstructed by the Government in their investigations. Neither the national police system operating under the Ministry of Interior nor the internal security operations command, which directs the anti-insurgency operations in rural areas, interferes with human rights efforts, except in instances where their anti-communist or anti-insurgency mandates are believed paramount. In August 1982 the Thai Government, which had previously refused to do so, permitted the registration of the Union for Civil Liberty. This was viewed as evidence of improved official support for groups concerned with human rights.

Thai representatives were among the founding members of the Asian Council on Fundamental Human Rights, a forum for the exchange of human rights information established in February 1982. The Asian Council is now drafting a declaration on human rights. Ultimately it aspires to emulate the European Council on Human Rights.

4. Economic, Social, and Cultural Situation

The Thai economy has maintained an impressive growth record. In 1981, output expanded in real terms by more than seven percent. Agriculture, the leading sector, grew by 6.9 percent with production gains in all major crops except cassava. The manufacturing sector benefited from the country's strong agricultural performance and output increased by eight percent. While the country's rapid growth has benefited all members of the society, the increased wealth tended to be concentrated in Bangkok and surrounding areas.

There is little overt sexual or racial discrimination, with some women reaching the top of both the civil service and business, and the large Sino-Thai minority rapidly integrating into Thai society while playing a dominant role in the private business sector. Problems continue to exist with laws reserving certain jobs, mainly at the unskilled and semi-skilled level, to Thai citizens. These laws have their greatest effect on Vietnamese refugees from the French-Indochina War period, a majority of whom live in northeast Thailand.

The right to own property, alone as well as in association with others, is protected under Thai law. In practice, large government-owned corporations in areas such as cement and road transportation, as well as government-granted oligopolistic industries such as brewing, place some limits on the private sector's ability to compete in all areas of the Thai economy.

The delivery of health care services is 80 percent vested in the private sector. According to the latest available statistics (1975), Bangkok had one doctor per 1,549 people while the ratio for the country as a whole was one to 8,366. The Government has tried to overcome the centripetal movement by requiring newly-licensed doctors to practice in government-operated provincial hospitals for two to three years before entering private practice. In spite of this problem, the overall level of health has improved with life expectancy increasing from 50.8 years in 1960 to 57.1 in 1970 and 62.5 in 1980. Birth control services are widespread and well-accepted with the result that the population growth rate has declined from higher than three percent in the 1960s to two percent in 1980. As a result of government efforts, the general health condition of women and young children, especially in rural areas, has improved significantly.

Thailand is one of the world's five major grain-exporting countries. There is almost no evidence of caloric intake deprivation. Poor nutritional habits, however, often the result of ignorance, affect a small but significant percentage of the population.

Rapidly declining birth rates should prove to be a major benefit in helping the Government to reverse a slight decline in the percentage of children attending elementary school and advance its goal of universal education through the fourth grade. Primary school enrollment declined from 83 percent in 1960 to 82 percent in 1979. The ratio of boys attending school (85 percent) to girls (78 percent) suggests a bias within the society.

The income disparity between the rich and the poor, especially between Bangkok and the rural areas, is the major socioeconomic problem in Thailand. While the stated policy of the Royal Thai Government is to improve income distribution, some argue that its fiscal policies in part work against this goal.

At current prices, per capita income in Thailand in 1980 was $698 with a per capita income in Bangkok of $2,077. In the northeast, the poorest section of Thailand, per capita income reached only $284 while in Nakhon Phanom, the poorest province in Thailand, per capita income stood at $225 or 10.6 percent of the level in Bangkok. For the country as a whole, excluding Bangkok, per capita income in 1980 was $532 or 25 percent of that of Bangkok.

These income disparities are increasing. Between 1976 and 1980, per capita real income in Bangkok grew at an annual rate of six percent while that of the rest of the Kingdom grew at only a 2.7 percent rate.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: THAILAND

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	29.6	30.8	35.9
LOANS..............	5.8	12.2	17.7
GRANTS.............	23.8	18.6	18.2
A.AID	26.0	26.2	31.2
LOANS..............	5.8	12.2	17.7
GRANTS.............	20.2	14.0	13.5
(SEC.SUPP.ASSIST.)...	2.0	2.0	5.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	3.6	4.6	4.7
LOANS..............	0.0	0.0	0.0
GRANTS.............	3.6	4.6	4.7
PEACE CORPS......	1.7	2.1	2.3
NARCOTICS........	1.9	2.5	2.4
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	37.4	54.6	80.7
LOANS..............	36.0	53.4	74.7
GRANTS.............	1.4	1.2	6.0
A.MAP GRANTS..........	0.6	0.4	4.5
B.CREDIT SALES-FMS....	36.0	53.4	74.7
C.INTL MIL.ED.TRNG....	0.8	0.8	1.5
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	67.0	85.4	116.6
LOANS..............	41.3	65.6	92.4
GRANTS.............	25.2	19.8	24.2
OTHER US LOANS..........	23.4	4.3	24.4
EX-IM BANK LOANS.......	21.7	4.3	24.4
ALL OTHER..............	1.7	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	729.7	507.5	711.1	4295.7
IBRD	555.0	307.9	474.0	2882.0
IFC	0.5	27.6	0.0	111.2
IDA	0.0	0.0	0.0	124.8
IDB	0.0	0.0	0.0	0.0
ADB	164.8	170.0	222.4	1070.1
AFDB	0.0	0.0	0.0	0.0
UNDP	9.4	2.0	0.0	61.8
OTHER-UN	0.0	0.0	14.7	45.8
EEC	0.0	0.0	0.0	0.0

VANUATU

Vanuatu, governed by a single-chamber parliamentary system, celebrated its second anniversary of independence from France and Great Britain in 1982. It was formerly known as the New Hebrides. Its government, elected in 1979 prior to independence, published a five-year development plan this year which aims at economic self-sufficiency by 1987. That is an ambitious goal, but Vanuatu has been able to weather the current difficult economic circumstances more easily than other Pacific island states, in part because of increased tourism, in part because of external aid.

Vanuatu's population of approximately 117,000 is overwhelmingly rural and continues to live in large measure according to traditional customs. Like its Melanesian neighbors, Vanuatu's indigenous inhabitants are divided by a variety of languages, by the more than eighty islands which make up the nation and, of course, by colonial experience. In addition, Vanuatu's uniquely inefficient colonial regime -- the Anglo-French Condominium -- left the new nation further divided by language (French and English).

Despite these obstacles, the Vanuatu Government has made progress over the past year in creating a sense of nationhood. It introduced a national currency, the "Vatu"; it continued attempts to integrate the British and French schools into a national educational system; and it promoted Bislama (Vanuatu Pidgin) as a national lingua franca.

By-elections were fiercely contested and successfully conducted in August 1982; the ruling Vanuaaku Party captured two of the three seats, its opposition the remaining seat. There have been no reports of human rights violations countenanced or allowed by the Vanuatu authorities. Amnesty International's 1982 report expressed concern that in 1981 some of those imprisoned during the 1980 secessionist rebellion were inadequately housed and fed in prison. Reports suggest that this situation has been bettered by the release of nearly all prisoners charged during and after the rebellion. Apparently only the rebel leader, Jimmy Stevens, remains in jail; his term of imprisonment was lengthened after an abortive escape attempt in 1982.

Foreign investors have expressed concern over the confusion surrounding Vanuatu's land tenure laws. Under the country's Constitution, all land is vested in its "custom," i.e. traditional tribal, owners. Land may not be alienated to non-indigenous owners, and foreigners or non-indigenous owners may only lease property from the customary proprietors. Procedures for evaluating improvements made to property by former non-indigenous owners and for compensating them for land which a tribe has reoccupied are not always clear or have not functioned. The Vanuatu Government has, however, said that it plans to remedy these problems in 1983.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There were no politically motivated murders in Vanuatu in 1982.

b. Disappearance

There were no reports in 1982 of disappearances, nor any reports of abduction or secret detentions.

c. Torture

Torture is prohibited by the Constitution and is not practiced in Vanuatu.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Cruel, inhuman, or degrading treatment or punishment is forbidden by the Constitution and that injunction is honored in practice.

e. Arbitrary Arrest and Imprisonment

The Constitution requires that persons arrested be swiftly informed of the charges laid against them, that an interpreter be provided if required, and that their case be brought before a judge speedily. There were no reports of arbitrary arrests or capricious imprisonments in 1982.

f. Denial of Fair Public Trial

The Constitution provides for a fair public trial, including presumption of innocence until proof of guilt, prohibition against double jeopardy, and the right of appeal to the Supreme Court. The courts are independent of military or executive control and the national ombudsman has the power to investigate complaints against the Government. There were no reports this year of arbitrary or unfair exercise of judicial authority.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These rights are guaranteed by the Constitution and respected by the Government. However, the Government, under the emergency provisions of the Constitution, may restrict these rights for a limited period of time. There are a number of small newspapers and newsletters published by political and church groups, but the Government publishes the only national newspaper. There is no commercial radio or television; the Government runs the national radio station.

b. Freedom of Peaceful Assembly and Association

There are no restrictions on the formation of political parties in Vanuatu. Vanuatu has a small but active trade union movement, recognized by the Government, with the right to organize, strike, and bargain collectively. Union membership is not large since the number of people who participate in the cash economy is itself small. As of 1980 there were 16 registered trade unions and six employer associations.

c. Freedom of Religion

Freedom of conscience is respected in Vanuatu and missionaries of various Christian denominations work without restriction.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

All Vanuatu citizens are free to travel abroad. Passport fees are reasonable. Some European residents have been declared undesirable immigrants and deported or not allowed to return after voluntary departure. Most of the proscribed Europeans were French settlers implicated in the 1980 rebellion against the newly independent state. There are no refugees in Vanuatu, although the Government has indicated a willingness to receive Melanesian refugees.

e. Freedom to Participate in the Political Process

All citizens of Vanuatu are free to participate in the political process. The existence of a vocal opposition in parliament is evidence of the openness of the political system. Every citizen of Vanuatu who is at least 18 years old is entitled to vote. At independence, residents had the opportunity to opt for Vanuatu citizenship and any person born since independence who has at least one parent who is a citizen of Vanuatu is entitled to citizenship. There are also provisions for naturalization after ten years of residence.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Vanuatu Government has publicly expressed willingness to permit investigations from qualified and objective outsiders. Amnesty International has expressed concerns discussed earlier in this report; Freedom House's 1982 report classified Vanuatu as "free."

4. Economic, Social, and Cultural Situation

Vanuatu is one of the poorest countries in the South Pacific, with a per capita income of approximately $530 per annum. Such figures do not mean as much as they might elsewhere, however, as the vast bulk of the population lives in a rural, subsistence economy. The level of health and nutrition compares favorably with other regional countries, and the Government is attempting to improve health services within the limits of its resources. One of the most difficult problems facing the Vanuatu Government is the integration of the British and French school systems into a single educational system focussed on the problems and needs of Vanuatu. Figures are not available on the percentage of the school age population enrolled, but there are many church schools and a significant portion of British and French aid is devoted to education. The population's growth rate is high and averaged 3.2% for the period 1970-79. Trade figures for the first half of 1981 -- the latest available -- showed exports and imports at the same depressed level as 1980 and an unfavorable balance of trade of two-to-one. Economic assistance from Vanuatu's former colonial powers continues to be of great importance to the new state; tourism, largely from Australia, is growing and having a growing and favorable impact on Vanuatu's balance of payments.

VIETNAM

The Socialist Republic of Vietnam is a communist dictatorship ruled by the Communist Party of Vietnam, the sole arbiter of power in the political system. The Party formally came to power in the North following the Geneva Conference of 1954 which partitioned Vietnam in the aftermath of its anti-colonial war against the French. The Party then engaged in a protracted struggle for control of the South and was finally victorious in April 1975.

This victory has had major implications for human rights as the North faced the prospect of integrating an independent-minded populace of questionable loyalty. The regime's first reaction to this problem was to intern all public officials and military officers of the former Government of the Republic of Vietnam in so-called "reeducation" camps. Its second was the dispersal of urban dwellers to virgin and unproductive land, termed the "New Economic Zones." The third was an overly-hasty attempt to stifle the market economy by closing down small shops, most of which, not coincidentally, were owned by a minority ethnic group toward whom Vietnamese traditionally have had antipathy, the Chinese.

The regime first deprived the ethnic Chinese of their means of livelihood, then encouraged their departure, often using coercive means, both overland and by boat. This outflow later included ethnic Vietnamese as well, and grew into the great refugee exodus which has not yet ceased.

The other historical event of significance for human rights in Vietnam since 1975 was the Vietnamese invasion of Kampuchea in late 1978. By engaging in this invasion, Vietnam has been unable to devote resources to reconstruction from the wounds of its earlier struggle to conquer the South. Instead, it has poured resources and manpower into Kampuchea on a vast scale.

Vietnam has engaged in human rights violations toward the Kampuchean people as a result of its occupation and control of its neighbor. Reported violations have included forced labor, denial of legal process, and forced relocations. Vietnam continues to control all policies and actions of the Kampuchean Government, and thus must bear a heavy responsibility for any violations occurring under its rule.

Vietnamese forces have used lethal trichothecene toxins (commonly known as "yellow rain") and other combinations of chemical agents in Laos and Kampuchea, frequently against civilian populations. (See the Report of the Secretary of State to Congress on March 22, 1982, and November 1982 for details.)

The Vietnamese citizen today is potentially the victim of arbitrary arrest either for past association with the former regime or for espousal of political ideas contrary to communist ideology. He has the obligation to vote, but all candidates are approved by the Communist Party. Despite legally guaranteed freedom of religion, many religious leaders have been imprisoned. No press exists other that that controlled by the regime.

There was very little improvement in the state of human rights in Vietnam in 1982. There have been some releases from reeducation camps, but not large numbers and over 60,000 remain incarcerated after seven years without trial. The most encouraging event was increased cooperation by government authorities in permitting the Amerasian children of US citizens formerly resident in southern Vietnam to leave for the US, and the expansion of a program of family reunification as relatives of Vietnamese residents of other countries legally emigrate from Vietnam.

Economically, most citizens are not appreciably above the subsistance level. Vietnam still is not self-sufficient in food production -- largely a result of arbitrary and incompetent economic policies. Packages from relatives abroad enable many to survive. Food is insufficient for most Vietnamese and what is available is rationed or highly priced on the free market. Inflation is high and corruption rampant while wages are stagnant. Hanoi has often denied working papers and ration coupons to many of its citizens deemed politically unacceptable. Many reeducation camp returnees among others are thus forced to exist on their own in an underground economy, as the only legal option left open to them is moving to the "New Economic Zones." These actions by the Vietnamese Government deny many of its citizens the most basic of all human rights; that of survival. The potential for human rights abuse in Vietnam's export of workers to the USSR and Eastern Europe, apparently to help pay Vietnam's debts, is a source of concern.

The forecast, both for the long and short term, remains bleak. For ideological reasons, as well as out of concern for their power and survival, the leadership will continue to maintain tight control and limit freedom. As long as Vietnam remains mired in Kampuchea, it will lack the resources to invest in reconstruction of its devastated economy. Any improvement in Vietnam's economy is likely to be marginal. Slight liberalization in economic policy is not likely to result in liberalization of cultural or human rights policies.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Although the Government admits that some "war criminals" were executed in the wake of the 1975 take-over, execution for purely political acts is not accepted policy. Several executions for organizing refugee escape attempts have been announced, and former reeducation camp inmates have reported executions for escape attempts and resistance to camp authorities.

Attacks by minority resistance groups and by ethnic Vietnamese resistance groups against Vietnamese Government authority usually target Peoples' Army of Vietnam units. Assassinations of government officials may sometimes occur, but are not widespread.

b. Disappearance

Refugees report that the authorities occasionally wait months before notifying relatives of a person's detention. Much of this, however, can be attributed to bureaucratic inefficiency rather than policy. Permanent disappearances, however, apparently do not occur as a matter of policy.

c. Torture

Some inmates of reeducation camps have been beaten and otherwise physically abused. Torture, however, does not appear to be a widespread practice.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

In the reeducation camps, provision of food rations below subsistence levels, denial of medical care, and assignment to hard labor of political prisoners and prisoners of conscience are practiced regularly. Prisoners are punished severely, for example, by several months solitary confinement, for minor infractions of camp rules. These widespread practices result in acute suffering, permanent physical impairment, and death. Given the degree of Communist Party control, it must be assumed that these practices are a matter of government policy. The detainees have indeterminate sentences and, unless released, face the prospect of penal labor until they die of malnutrition or disease. Central authorities clearly have the ability to ameliorate these conditions if they wish. There is widespread agreement among refugee reports gathered in various geographical locations as to the severity of the camps. Although some reeducation camps contain common criminals, most of the prisoners are former officials and military officers of the Republic of Vietnam, many of them aged. Also included are chaplains and clergy from both Buddhist and Christian sects.

e. Arbitrary Arrest and Imprisonment

The Government continues to hold large numbers of people without trial in the reeducation camps, including both those whose former associations raise suspicions and those whose current political views are suspect. Estimates of those detained range from 24,000 (a Vietnamese Government figure) to over 100,000 (unofficial sources). Interviews with persons who escaped or were released from camps revealed the continued existence of at least eight camps in 1980-81 with a population of at least 64,000. Reeducation camps are intended to remove potentially dissident elements from society, especially competent and/or charismatic leaders, and to produce conformity through confinement, indoctrination, and hard labor. Some prisoners, including some military officers up to the rank of colonel, have been released, but many are still imprisoned. A few have been rearrested for no discernible reason. Amnesty International stated in its 1982 report that its greatest concern in Vietnam was "the continuing detention without charge or trial of thousands of members of the former South Vietnamese administration in 'reeducation' camps."

The regime has spoken publicly of its program to relocate millions of people to virgin or unproductive rural areas in order to expand agricultural production. Hundreds of thousands have been resettled in these "New Economic Zones." However, the lack of investment in infrastructure in these zones suggests that the primary impetus for creating them was the desire to disperse the large, and potentially dangerous, urban population. The resettlement process has involved coercion in most cases and force occasionally. The program has targeted those whose views and background leave them suspect in the regime's view. Conditions in these zones are widely reported to range from poor to life-threatening with inadequate provision of basic services. Many of the persons resettled leave, returning to the cities where they are forced to live on the margins of an already marginal economy, without the ration or neighborhood registration cards essential to procuring employment, food, and other essential services.

Recent reports indicate that the regime has largely abandoned the effort to force southerners to these zones. The authorities have apparently concluded that urban congestion can be managed as long as the safety valves of packages from escaped relatives abroad, the black market, and the Orderly Departure Program (a program under which the Government administers the legal departure of persons from Vietnam in cooperation with the United Nations High Commissioner for Refugees) remain available to the populace. Northerners, however, are still being relocated in the Mekong Delta region. Resettlement often displaces pre-existing tribal minorities, threatening their traditional customs and heritage.

f. Denial of Fair Public Trial

Since 1975, arbitrary arrest has occurred under the rubric of reeducation. In general, both political prisoners and common criminals are denied public trial and access to counsel. People regularly are arrested and imprisoned without any form of legal proceedings (habeas corpus, counsel, or public trial) because of real or suspected association with the former government or resistance groups or because of dissident views. Leadership elements of religious and minority groups also suffer prolonged detention.

In general, the legal system operates as an agency for the enforcement of the party directives. Thus, it has no independence from political intervention.

g. Invasion of the Home

The Northern system of population surveillance by block wardens now extends to Ho Chi Minh City (Saigon) and other southern cities and rural areas, although the system works imperfectly in the South, partly because of a shortage of trusted party workers. There are reports of officials implanting incriminating evidence during searches of residences. There are other reports of officials conducting midnight searches of homes for draft-age males in order to fulfill draft quotas although this is said to be reduced in frequency over the past year. No warrants are needed.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These rights do not exist in Vietnam. The Ministry of Culture and Information and organs of the Party maintain tight control over all newspapers, books, and other publications, as well as all cultural exhibitions. The Government controls and censors all public sources of information and promotes "revolutionary culture" in the arts. Many prominent artists and writers have been arrested.

Independent criticism of the Party and Government is not permitted. Self-censorship by journalists operates without question, given the pervasive control of the Party.

The block surveillance system described above utilizes informants to monitor the activities of citizens. There are reliable reports that the Ministry of the Interior inspects and censors international mail belonging to politically suspect persons.

b. Freedom of Peaceful Assembly and Association

There is no freedom of assembly in Vietnam. Even assembly by religious communities for other than strictly spiritual purposes is banned. Government-controlled-and-directed organizations exist in lieu of labor unions. Membership in such organizations is encouraged. However, the function of labor organizations is control and dissemination of party and government policy to workers.

c. Freedom of Religion

Vietnamese authorities have attempted to systematically divide and control the Catholic and Buddhist churches, the Muslim community, and other religious sects. People are, however, permitted to attend religious services. Catholic priests are subject to police surveillance and most priests and nuns are required by the authorities to work full-time in state-run occupations, thus limiting their participation in religious activities. The Catholic church's teaching role has been restricted severely and many churches and all but one Catholic seminary in the South have been closed. Sermons require government approval and uncooperative priests are subject to confinement in reeducation camps. Catholics are closely watched by the security forces, are required to attend political lessons and are discriminated against in employment. In central Vietnam, thousands of Catholics have been forcibly relocated and required to work on government construction projects. The Government has sharply curtailed the number of new Catholic and Protestant clergy ordained and restricted communication between rural parishes and their bishops. Evangelical churches, such as the Seventh Day Adventists, are especially distrusted by the regime.

Nearly all the 30,000 Vietnamese Muslims are members of the Cham minority, which the regime distrusts and harasses. The Government has disbanded the organized Muslim association and broken links with overseas Muslim organizations. The regime forbids the traditional pilgrimage to Mecca and has not given permission for the Muslim community to participate in the Koran reading contest held annually in Malaysia. Many Muslim schools have been closed, but most mosques are still open. The importation of Korans is forbidden and the printing house which previously published Korans has been closed.

Buddhists have resisted efforts to control them. The politically active An Quang Unified Buddhist Church reacted sharply when the Government packed its leadership council with pro-party monks. In Ho Chi Minh City demonstrating Buddhists were arrested in April 1977 and pagodas closed. Two An Quang leaders remain under arrest. Monks at the formerly active An Quang, Xa Loi, and Vin Nghiem pagodas rarely receive visitors and are under close government surveillance. Pagoda schools are closed and, while ceremonies are allowed to continue, monks are not permitted to preach sermons. Nationwide, monks need permission to travel and to stay overnight away from their home temples. Some reports allege that local authorities seek to control the Buddhist Sangha by forbidding the donation of food. Few young men are allowed to join the Sangha. Other religious groups (notably the Cao Dai sect and the Hoa Hao, a Buddhist sect) also have resisted government control. The Hoa Hao leadership is now reportedly imprisoned. The leadership of the Therevada Buddhists, most of whom are Khmer Khrom (Vietnamese are for the most part Mahayana Buddhists), similarly has either been imprisoned or banished from any official role and replaced by pro-regime clergy who represent the sect abroad.

A number of Buddhist monks view the government-organized conference on the unification of Buddhism, held in Hanoi in November 1981, and the formation of the unified Vietnam Buddhist Church at the conference, as part of the regime's effort to control Buddhism. The charter of the Vietnam Buddhist Church provides that it is "the only Buddhist organization representing Vietnamese Buddhism in all relations in the country and with other countries."

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Government approval is required for all internal and external travel. No one is allowed to change his residence or work location without permission from the authorities. Only government officials or approved spokesmen for quasi-governmental organizations generally receive permission to travel abroad.

A number of factors, in addition to the generally repressive political situation, have combined to cause a mass exodus from Vietnam since 1975. Among them are ethnic persecution, discrimination with regard to economic and educational opportunities, fear of incarceration or exile to remote areas, and fear of conscription to fight in Kampuchea. In early 1978, the Vietnamese adopted a program to "facilitate" the departure of ethnic Chinese and others as refugees. The program was administered through special offices at the provincial level which charged large fees for exit permits and passage. At its height in the spring of 1979, the exodus, mostly of ethnic Chinese, reached over 40,000 per month by boat. An additional 230,000 resettled in China across Vietnam's northern border. At the conference on Vietnamese refugees held in Geneva in July 1979, the Government pledged a moratorium on refugee departures, and information from refugees who have left Vietnam since then indicates that the authorities are no longer systematically assisting departures and are punishing people caught trying to depart clandestinely.

In May 1979, the United Nations High Commissioner for Refugees (UNHCR) reached agreement with the Government on the legal departure of persons from Vietnam under the Orderly Departure Program. The program started slowly with only slightly more than 13,000 departing Vietnam (2,369 to the US) in the 27 months between July 1979 and October 1981. The Vietnamese then expanded the program, and over 17,000 left in the next year (4,262 to the US). At the October 1982 Executive Committee session of UNHCR, the Vietnamese announced that they planned a further expansion of the program.

During 1982, the great majority of refugees from Vietnam left clandestinely. Some paid bribes to low level security officials to facilitate escape. Hanoi and provincial radio stations have broadcast reports of executions of organizers of failed escape attempts, as well as punishments dealt to others implicated. Currently, male offenders can expect sentences ranging from three to fifteen years at hard labor, while female offenders receive one to three months, with childless women often receiving longer sentences. Reeducation camp releasees can expect to be returned for an "indefinite" term. Property, often including the means of livelihood, is confiscated from those caught, as is the property left behind by the escapees.

Individuals reportedly must often resort to bribery to be placed on "Orderly Departure" lists. Refugees from the Mekong

Delta have reported that some persons have paid officials from eight to ten taels of gold ($4,800-6,000) per person to be placed on tentative "Orderly Departure" lists with no guarantee as to when or if they would be permitted to leave. Persons who have applied for exit permits reportedly are subject to recurring security checks and harassment.

e. Freedom to Participate in the Political Process

Authority and power are concentrated in the Communist Party. No political opposition to the Party is tolerated. The Politburo of the Central Committee of the Vietnam Communist Party is the supreme decision-making body in the nation. The National Assembly exists to rubber stamp decisions made in the Politburo.

National Assembly elections are held in Vietnam every five years and local elections are held more often. The electorate is required to participate in the elections in order to have ration cards validated. Voters do not have a real political choice. They may only strike out the names of candidates for whom they do not wish to vote from the single list which is presented them.

Although Southerners have been appointed to some ministerial and National Assembly positions, distrust of Southerners is a significant factor in the assignment of political responsibilities. Even those Southerners who played significant roles in the National Liberation Front prior to 1975 have largely been shunted aside since then.

Gradual assimilation and cooptation appear to be the long-run strategy in regard to minorities in the North. The Government has created special schools in the Hanoi area to train minority cadres who can be the "eyes and ears" of the party among their own people. Muslim and other minority religious groups are particular targets of this effort. Southern minorities -- Chinese, Indian, Khmer -- have been encouraged to leave the country.

3. Government Attitude Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

Vietnam is not a member of international human rights organizations. It has been the subject of investigation by Amnesty International, which published in June 1981 the report of an Amnesty International mission.. This report contained an exchange of memoranda between Amnesty International and the Government following the December 1979 Amnesty mission to Vietnam. The consistent theme of the reports on Vietnam has been the violation of human rights through the detention of persons without trial in reeducation camps under harsh conditions over a period of several years.

The delegations and journalists who have visited reeducation camps have been shown model camps. Former prisoners have described extensive preparations to beautify camps prior to visits, temporary removal of most prisoners during the visit, and careful briefing of the prisoners by cadre on what to tell delegation members.

The Government does not permit the existence of private groups to lobby for or protect human rights in Vietnam. Freedom House, in its report for 1982, classifies Vietnam as "Not Free."

4. Economic, Social, and Cultural Situation

Economic development continues to be thwarted by the impact of attempts to socialize Southern agriculture, output loss from the flight of skilled and entrepreneurial workers, and the high cost of maintaining defenses against China. Of particular importance is the cost of the war effort in Kampuchea, which diverts badly needed resources and personnel. The regime has exported scarce domestically produced agricultural and consumer goods for political purposes and in order to repay a portion of the massive assistance received from the USSR.

About 45,000 Vietnamese workers have been sent under contract to work in various occupations in the USSR as well as Eastern Europe. There is little doubt that a significant portion of their wages is deducted to help pay for Vietnam's debts to these countries. Complaints about working conditions, including inadequate winter clothing, have been reported. It appears that many of the workers enter this work program in order to escape the poverty and unemployment of present day Vietnam. The potential for human rights abuse, however, remains a source of concern.

Production incentives have ameliorated agricultural production shortfalls to a degree, but have not achieved self-sufficiency. Foodgrain production improved modestly in 1982 to 16 million tons, but according to international financial sources, the increase did not significantly lessen food shortages, as the Government decreased its imports of foodgrains accordingly. Calorie supply available for consumption was only 83 percent of nutritional requirements in 1977, the latest year available, and has probably not improved in the five years since then.

The heavy burden of inflation (about 100 percent in 1981) on city dwellers, especially government cadre and proletariat, is reflected in increased corruption, moonlighting, and crime. Corruption, especially, is now seen to be a way of life in the cities. The corruption in turn burdens the average citizen who must bribe officials to obtain public services and official documents.

Because of the food shortages brought on by economic policies, Hanoi's Kampuchean adventure, and natural disasters, rice and meat rations have been reduced drastically. The families of draft evaders, releasees from reeducation camps, and deserters from the armed forces and "New Economic Zones" have been removed from food distribution lists. Sales of food at government prices are limited and most families must resort to the free market where prices are much higher. The black market sale of goods received in packages from relatives abroad has become an essential component of many families' income. Income levels have not risen to keep pace with inflation.

Collectivization of the fishing industry and nationalization of most ocean-going vessels have lowered fishermens' income severely. According to some reports, 70 percent of the catch is taken in taxes. The fishing industry has been further crippled by severe government limits on the amount of fuel and water permitted on board. These measures have been adopted to prevent refugee escapes. Depletion of the fishing fleet through loss of boats to refugee flight has also hurt the industry.

Education is an area in which government resources are adequate, given the poverty-stricken state of the country as a whole. Those whose political affiliation is suspect, such as Amerasians, the children of Americans who served in Vietnam, often are not permitted to attend school.

The ethnic Chinese, who account for well over half the total number of refugees, are discriminated against severely through denial of employment and educational opportunities. Former military officers of the Republic of Vietnam are systematically denied employment and the children of those former officials (military and civilian) are blocked from university education by a review of family background which culls out "undesirable elements." Persons released from reeducation centers are subject to severe restrictions on employment and travel. Generally, persons with Western training and education are denied official employment, regardless of the need for their services, and are encouraged to leave.

The level of health care has declined steadily since 1975. The severe shortages of medical facilities and medicines have been aggravated by the need to divert material and personnel for the care of soldiers wounded in Kampuchea. There are distinct levels of treatment for different ranks of cadre. Only the most minimal facilities are available for the average worker. Ordinary peasants and workers must purchase medical prescriptions on the open market, unlike cadre who have access to free or government-subsidized prescriptions. Those who are not employed by the state are not eligible for care at government medical facilities.

Property rights are not protected by the Government and are antithetical to the communist ideology of state ownership. Although a degree of private ownership by individuals is permitted, ownership by groups such as corporations is not. Collective ownership is encouraged.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: VIET NAM

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	17.8	0.4	27.1	193.4
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	60.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	44.4
AFDB	0.0	0.0	0.0	0.0
UNDP	4.1	0.4	0.0	28.5
OTHER-UN	13.7	0.0	27.1	60.5
EEC	0.0	0.0	0.0	0.0

WESTERN SAMOA

Western Samoa lies in the Pacific Ocean approximately 5,000 miles southwest of the continental United States and consists of two main islands with a population of 170,000. Western Samoa became independent on January 1, 1962, ending more than 40 years of UN Trusteeship and League of Nations mandate rule by New Zealand. Western Samoa's Constitution is based on the British pattern of parliamentary democracy, modified to take into account Samoan customs. Apia, the capital and commercial center, is the only major city in the country. While Samoans have tended to retain their traditional ways, the face of Western Samoa is changing; Western Samoa's exposure to outside influences has greatly increased.

Most Samoans still live within the traditional social system based on the "aiga," or extended family group, headed by a "matai," or chief. The legislative assembly ("Fono") has 47 members, 45 of whom are elected by matai suffrage on a territorial basis. There are some 10-12,000 matais who are eligible to vote for members of the Fono. The present head of state holds his position for life; future heads of state will be elected by the legislative assembly for five-year terms. The Constitution establishing the system was overwhelmingly adopted by a universal suffrage plebiscite conducted under United Nations supervision in 1961.

A new head of government, Tofilau Eti, was sworn in as the Prime Minister of Western Samoa on December 30, 1982. This followed former Prime Minister Efi's loss of a no-confidence motion in parliament, and in turn followed a Western Samoan Supreme Court decision that previous Prime Minister Va'ai Kolone had lost his parliamentary seat due to violation of election regulations. Kolone was found guilty of personation -- using ineligible citizens to vote in place of dead or absent matai. In addition, a recent ruling by a specially-constituted court of appeals overturned the decision by Western Samoa's former Chief Justice that the country's Electoral Act was in conflict with its Constitution. That decision by the court of appeals, made up of three justices from New Zealand, now allows by-elections to take place. Other than the elections and constitutional controversy, there have been no major human rights issues in Western Samoa during 1982.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Killing for political motives, or by government and opposition political organizations, does not occur in Western Samoa.

b. Disappearance

Disappearances, abductions, and secret arrests do not occur in Western Samoa and clandestine detention does not exist. There are no political terrorist organizations in Western Samoa.

c. Torture

Torture is prohibited by law in Western Samoa, and the Constitution ensures that "no person shall be subjected to torture or to inhuman or degrading treatment or punishment." This is observed in practice by reason of law and custom.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

All are illegal and not practiced or condoned. Treatment of prisoners is fair and humane. Prisoners are not discriminated against by reason of offense, social class, race, sex, or religion. Prison conditions do not appear to be harsh.

e. Arbitrary Arrest and Imprisonment

There are no political prisoners in Western Samoa. Habeas corpus exists and is honored in practice. Preventive detention does not exist. Suspects must be (and are) formally charged within twenty-four hours of arrest. Persons awaiting sentencing are housed in the same detention facilities with those already convicted and serving time. Most Samoans who are jailed have been convicted of relatively minor crimes such as petty theft, and their terms of sentence are short. There have been several cases of individuals who have been sentenced to death waiting up to several years to learn whether their sentences would be commuted. With this exception, however, there are no lengthy delays between arrest, arraignment, trial, and sentencing. Local custom ("ifoga") is taken into account in sentencing.

f. Denial of Fair Public Trial

The right to fair public trial is guaranteed by law and is honored in practice. Defendants may be represented by counsel, and assessors are provided to assist in cases involving traditional matters. As noted previously, charges are filed within twenty-four hours following arrest and are formally and clearly stated. The judiciary is independent of the executive, and there are no political, security, or military courts.

g. Invasion of the Home

There is respect for the sanctity of the home and search warrants are required by law. The Samoan Constitution does not specifically refer to illegal entry, but provides for the protection from invasion or seizure of property without due process of law. Local custom dictates that this law be respected.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Constitution guarantees freedom of speech, assembly, association, movement, and residence. These rights are respected in practice and there have been no charges of infringement or violation.

b. Freedom of Peaceful Assembly and Association

As noted above, these rights are guaranteed by the Constitution and are respected in practice. Western Samoa has only a fledgling trade union movement that is not yet well developed. However, the movement is under no restrictions by the Government and is free to organize.

c. Freedom of Religion

The Constitution guarantees freedom of thought, conscience, and religion. These rights are respected, and there is no state religion. Adherence to a particular faith does not confer advantage or disadvantage in civil, economic, political, or other secular status.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Western Samoans are free to travel within the country and abroad, and rights of emigration and repatriation are respected. There are no refugees in Western Samoa.

e. Freedom to Participate in the Political Process

The primary basis for suffrage is the matai system. The title of matai is conferred upon a selected member of an extended family group. Two members of the Parliament are elected by universal adult suffrage by people lacking family group ties (generally, people of mixed European/Samoan origin). Matais traditionally consult with their "aiga" before making decisions for the group. Most Samoans support the matai system. Members of Parliament serve for three years. Women are active in community affairs. Women have been represented in parliament and also serve in other public offices, but are generally underutilized as a development resource. Women's "komiti" (committees) are formally regarded as service groups operating under the authority of male chiefs. Western Samoa's Government is based on the Westminster parliamentary system with real power vested in the Prime Minister and ruling group. During the latter part of 1982, a decision was handed down by Great Britain's Privy Council which would have given some Samoans New Zealand citizenship. However, the matter was resolved by agreement between the two countries. There are no outstanding problems of nationality, citizenship, or statelessness.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

No requests for such investigations have been made to the Western Samoan Government, nor have human rights organizations found cause for comment or reporting upon Western Samoa.

4. Economic, Social, and Cultural Situation

Western Samoans' economic and social needs are met on a non-discriminatory basis, and there is no legal, sexual, racial, or religious discrimination in this regard. The right to own property alone and in association with others is protected. In recent years, the Western Samoan economy has performed poorly. Dependent on outside economic developments and vulnerable to internal management problems, economic prospects do not look good in the short and medium term.

Per capita income estimates vary from under $400 a year to around $600 a year; what is clear is that Western Samoa is not well off even by developing country standards. Nonetheless, an adequate food supply is available which meets the population's caloric intake requirements, and there is adequate shelter -- aided, of course by the mild, tropical climate. Western Samoa's dedication to literacy is remarkable, and 98 percent of the population is able to read. Health standards are good, with adequate medical care available, as infant mortality figures of 17.8 per 1,000 live births indicate.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: WESTERN SAMOA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.8	0.8	0.9
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.8	0.8	0.9
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.8	0.8	0.9
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.8	0.8	0.9
PEACE CORPS......	0.8	0.8	0.9
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.8	0.8	0.9
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.8	0.8	0.9
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	1.7	4.9	0.0	51.1
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	12.4
IDB	0.0	0.0	0.0	0.0
ADB	0.0	4.7	0.0	31.0
AFDB	0.0	0.0	0.0	0.0
UNDP	1.7	0.2	0.0	7.6
OTHER-UN	0.0	0.0	0.0	0.1
EEC	0.0	0.0	0.0	0.0

EUROPE AND NORTH AMERICA

ALBANIA*

Albania is a small, isolated, Balkan nation of about 2.8 million people. Since the close of World War II, it has been ruled by a dictatorship professing a Marxist-Leninist ideology. Over much of this period, Albania has, in effect, been under the autocratic personal rule of Enver Hoxha. Albanian Prime Minister Mehmet Shehu was reported dead in December 1981. Rumors that he either was assassinated or committed suicide still persist. Shehu's passing fueled speculation that Albania might be entering a period of political change. Despite his advancing age, however, Hoxha appeared in firm control of the country at year's end.

The ruling Albanian Workers' Party and the Government maintain rigid, pervasive control over nearly all aspects of life in Albania, severely restricting the exercise of political and civil rights. For most Albanians, contact with foreigners, or with the outside world in general, is extremely limited. There continue to be reports of serious human rights violations in Albania. Arbitrary arrest and imprisonment for political deviation seems commonplace, and there are unconfirmed reports of the use of torture. Albania is a self-proclaimed atheist state, and the exercise or advocacy of religion is punished severely. It has not signed the Final Act of the Conference on Security and Cooperation in Europe done at Helsinki in 1975. There were few observable changes in Albania's human rights record or practices in 1982.

Hoxha's tight internal rule is reflected in Albania's foreign policy, which steers a highly autarchic course. Albania has shunned involvement with the United States and with the Soviet Union. Since its break with China in 1978, Albania has followed an essentially "go-it-alone" course, the net effect of which has been to continue to isolate it from contact with the outside world -- to the detriment of education, medicine, industry, and the arts, as well as civil and political rights.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Reliable information on the possible use of killing by the Government for political motives is not available. In the past, however, there have been reports -- largely unconfirmed -- of summary executions. Under the present penal code, Albanian courts may impose the death penalty for a number of political offenses, including agitation and propaganda against the state, incitement of hatred or quarrels between nationalities and races, creation of a counter-revolutionary organization or participation therein, activity against the revolutionary movement of the working class, and refusal to carry out a duty or coercing others to refuse.

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* The United State does not have diplomatic relations with Albania, nor has it had official representatives in that country since 1946. This fact makes it difficult for the US Government to comment authoritatively on conditions in Albania.

b. Disappearance

There is no reliable information available concerning disappearances, but Albanians who have escaped from the country recently report that disappearances do occur.

c. Torture

There are unconfirmed reports of police brutality, particularly against persons accused of anti-state or religious activity. It is not possible to tell from available information whether such practices are isolated and result from abuse of local authorities' discretion or, rather, are of more widespread and systematic use.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Private international organizations reported in the past that Albanians sentenced to prison endure extremely harsh conditions of confinement. One prison camp was described where "prisoners mined copper in eight-hour shifts, six days a week, with little protective clothing", were forced to meet excessive work quotas, and, when they failed to do so, faced extra work hours or solitary confinement. There were similar past reports of prisoners being held in solitary confinement for up to six months. There are other reports that prisoners are sometimes fed only 600 grams of cornbread per day while being forced to work 16 hours per day. Eyewitnesses have reported the use of public humiliation of prisoners, including public exhibition of the bodies of dead prisoners, as a means of intimidating the populace. Although it is impossible to ascertain how widespread such practices may be, there is no reason to believe that these conditions during 1982 changed significantly.

e. Arbitrary Arrest and Imprisonment

Beyond noting that families of persons who escape Albania are reportedly sent to prison as examples to other would-be illegal emigrants, there is insufficient information on arbitrary arrest and imprisonment in Albania for further meaningful comment.

f. Denial of Fair Public Trial

The judiciary in Albania includes a supreme court and regional and district courts. While the ruling party clearly controls the administration of justice, there is virtually no further hard information on judicial practices in Albania. Amnesty International, however, reported in past years receiving allegations of the use of psychological and sometimes physical pressure during investigations to obtain statements from the accused and witnesses. Amnesty International further reported that where defendants were permitted defense counsel, these appeared to have been state-appointed and to have provided only nominal services. Some defendants reportedly did not see their defense counsel before their trials, which frequently were held behind closed doors.

g. Invasion of the Home

Inviolability of the home is constitutionally-guaranteed but, according to numerous reports, seldom respected.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Albanian Constitution states that citizens enjoy freedom of speech and press. It also provides, however, that "the rights of citizens are indivisible from the fulfillment of their duties and cannot be exercised in opposition to the socialist order." From available reports, it appears that the Government shows little if any respect for these rights.

The press is owned and tightly censored by the state. The flow of news both into and out of Albania is rigidly controlled, as is its internal dissemination. Criticism by the press or broadcast media of Government policies or of the top leadership is not countenanced. Persons found listening to foreign radio broadcasts or exhibiting "alien manifestations" are reportedly reprimanded and punished. Albanian citizens receive mail from other countries on an extremely limited basis, and are similarly restricted in sending mail abroad.

b. Freedom of Peaceful Assembly and Association

The Albanian Constitution provides for freedom of "organization, association, assembly, and public manifestation," with the caveat, however, that "the rights of citizens are indivisible from the fulfillment of their duties and cannot be exercised in opposition to the socialist order." It appears that in practice those who deviate from Party or Government-established norms of behavior meet with swift and severe reprisals.

The United Trade Unions of Albania are established as an arm of the Albanian Workers Party. Their major function is the education and political indoctrination of workers, with the goal of raising productivity and work standards through increased worker discipline. Albanian unions have no significant responsibilities in the field of labor relations, although they do play a key role in organizing elements of the labor force for the periods of so-called "voluntary" manual labor in which virtually all Albanians are required to participate.

c. Freedom of Religion

Religious activity is expressly prohibited by the Albanian Constitution and by Government policy. In 1967, the Government abrogated all laws dealing with church-state relations and began a campaign to eliminate all vestiges of religion, which at that time were primarily Muslim, Orthodox, and Roman Catholic. More than 2,000 mosques, churches, monasteries, and other religious institutions were closed; all religious literature was banned; and a number of church leaders were imprisoned or executed. Freedom House reported in 1981 allegations that over 20 Roman Catholic priests were serving prison sentences. The regime continues to suppress religious activity by imposing harsh penalties on persons who engage in religious practices, by conducting an educational campaign against religion, and by obliging citizens to expose believers. In spite of these pressures, some Albanians reportedly continue to practice religion secretly in the privacy of their homes.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Movement within the country and travel abroad is rigidly controlled. Transgressors may be punished severely, as may their families in the case of illegal emigrants (see section l.e. above). Albanians reportedly are permitted to travel abroad only on official business or, very rarely, for family reasons under strict controls and based on demonstrated obedience to the regime. Under the penal code, "flight from the state and refusal to return to the fatherland on the part of a person sent on service or allowed to leave the state is punishable by imprisonment for not less than 10 years or by death." Under current conditions, very few persons manage to leave Albania.

c. Freedom to Participate in the Political Process

Albania has been under the autocratic rule of Enver Hoxha for several decades. No other parties or political viewpoints except those of the Albanian Workers Party are permitted to exist. In 1982, many high-ranking officials, including followers of the late Prime Minister, Mehmet Shehu, were purged from the Party and State apparatus.

The Constitution provides for the exercise of state power and the direction and control of all other state organs by the people's assembly and by people's councils. The members of these bodies are selected by the party and then "elected" by universal suffrage. As evidence of the absence of political choices for the populace, Albania routinely reports voter participation at or near 100 percent, with approximately 100 percent of the ballots cast for the officially-approved candidates. Women also may "participate" in "elections", but there are few women in positions of leadership in party or state organizations.

Among the ethnic minority groups in Albania, the largest is Greek. The Constitution states that national minorities are "guaranteed protection and development of their culture and popular traditions, the use of their mother tongue and its teaching in the schools, and equal development in all fields of social life." While there are substantial differences of opinion in the West on the extent to which cultural, educational, linguistic, and other rights of minorities in Albania may be exercised, these rights clearly are restricted. Similarly, there appear to be fundamental differences of opinion on the extent to which minority group members, solely because of that status, may suffer greater persecution than other Albanians.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights.

The Albanian Government has refused to cooperate in any investigation of alleged human rights violations.

In November 1982, 13 members of the European Parliament introduced a resolution petitioning Albanian authorities for better treatment of the Greek minority. The Parliament's Political Committee is expected during 1983 to consider this matter further.

4. Economic, Social, and Cultural Situation

Albania is a poor country with limited natural resources and the smallest amount of arable land per capita in Europe. It has a comparatively high population growth rate, estimated at 2.2 percent (1980), and an infant mortality ratio of 47.5 per 1000. Average life expectancy at birth is 70.1 years. Per capita GNP is estimated to be about $840, but accurate current economic data are not available. No evidence has been received of chronic food shortages or rationing. Rents on residential housing appear to be low, but there reportedly are housing shortages, especially for newly-married couples.

Albania has taken steps toward industrial development, but its economy is grounded in agriculture and the production of raw materials. All land belongs to the state, and individual citizens are permitted to own only limited amounts of personal property.

Albania is a party to the International Convention on the Political Rights of Women and to the Convention on the Nationality of Married Women. The Albanian Constitution asserts that women enjoy equal rights with men in work, pay, recreation, social security, education, socio-political activity, and in the family. Information on the extent to which these asserted rights are protected in day-to-day life is generally not available. However, there do appear to have been advances in the rights and status of women; in 1975, reportedly 35 percent of all students were women. Women reportedly participate equally in the obligatory labor and military service programs, but few women appear in positions of leadership.

AUSTRIA

Austria is a democratic country which prides itself on the protection which it affords human rights. The economy is highly developed and the Austrian standard of living compares favorably with that of any other West European country. The Austrian State Treaty and the federal Constitution mandate the freedom of the individual and basic civil and political liberties.

The right of the individual to the integrity of his person is well respected in Austria. All mature and mentally competent Austrian citizens have the right to vote, except for persons sentenced to more than one year of imprisonment, who may not vote for a period of five years following release from incarceration. Civil rights are respected.

A unique and significant aspect of human rights in Austria is the role which Austria plays as a country of asylum for refugees from Eastern Europe and the Soviet Union. This has included an active program of assistance to refugees pending their acceptance by countries of final settlement. The Austrians have also facilitated the transit of Jewish emigrants from the Soviet Union.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There are no reports of Austrian police authorities engaging in politically-motivated killing. Rightwing organizations during the spring and summer of 1982 detonated several explosive devices near the homes or businesses of prominent Austrian citizens of Jewish heritage. A West German rightwing terrorist has been arrested in connection with these explosions, and several Austrians have been implicated, although not yet formally charged by the authorities. The terrorists' motivation appears to have been anti-semitism.

b. Disappearance

There have been no reports of abductions either by Government authorities or terrorist groups in Austria during the reporting period.

c. Torture

Torture was banned by an imperial decree of January 2, 1776, and by the incorporation into Austrian law on September 3, 1958 of article 3 of the Convention of the Protection of Human Rights and Fundamental Freedoms. There have been no allegations of torture by Austrian authorities.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Cruel, inhuman, or degrading treatment or punishment is prohibited by article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which has been part of the Austrian Constitution since 1958. There have been no reports of such treatment by Austrian authorities.

e. Arbitrary Arrest and Imprisonment

The constitutional law of 1862 on the protection of personal freedom and article 5 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, both of which are part of the Austrian Constitution, prohibit arbitrary arrest and imprisonment. Austrian law does not provide for preventive detention as such, but does provide for investigative detention. Austria has administrative arrest procedures for petty offenses, such as disturbance of the peace and traffic violations, as well as detention procedures pending deportation. The period of such arrest is regulated and limited by law. Detention pending deportation may not exceed three months. A law provides for control of these proceedings by either the administrative or the constitutional court. Arrested persons may be placed in pre-trial, investigative detention after a finding by an investigative judge that substantial grounds exist for an investigation. The period of detention pending completion of an investigation is limited to six months which may be extended for up to one year. In cases involving a major crime, calling for a minimum sentence of ten years, the extension may be for up to two years. Formal, clearly stated charges are brought at the completion of the investigation, and trial follows speedily. Grounds for investigative detention are limited to possible tampering with evidence and influencing of witnesses, recommission of a similar crime, or potential flight from Austria.

f. Denial of Fair Public Trial

Fair public trial is guaranteed by the Constitution, the European Human Rights Convention, and the Austrian Criminal Procedure Code. The judiciary is fully independent of the military and the executive. The right to appeal to a higher court is guaranteed by pertinent provisions of the Austrian code of criminal procedure. Defendants have a right to effective counsel. Charges are clearly and formally stated.

g. Invasion of the Home

A search warrant, issued by a judge, is required for entry of a private residence without consent. In the event of rational grounds for the presumption of a public hazard or in pursuit of a fugitive from justice, the police may enter private premises without a warrant. Freedom from invasion of the home is guaranteed by law.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech and press is guaranteed by the Austrian Constitution, and fully exercised. There is no censorship of any kind in Austria.

b. Freedom of Peaceful Assembly and Association

The Fundamental Law on the Rights of Citizens of 1867 establishes the right to assemble and associate freely. The Austrian State Treaty of 1955, however, prohibits the existence and activities of fascist and Nazi organizations on Austrian territory. As a practical matter, the Government has not banned any organizations nor has it forbidden specific activities of right-wing organizations, although this possibility is frequently discussed. Public demonstrations by any organization require the issuance of a permit by the police authorities. Such permits are normally granted, with due consideration for public safety. The Austrian trade union federation and its fifteen constituent unions play a vital role in the social partnership (an informal, extralegal arrangement among Government, management, and labor which has determined the course of the Austrian economy since the mid-1950's). Unions have the right to organize workers, to negotiate annual wage agreements and to strike; these rights are rarely exercised. The unions are controlled through democratic processes. Many Government officials are trade union leaders, including three cabinet ministers who are presidents of national unions and the president of the lower house of parliament, who is at the same time president of the Austrian Trade Union Federation. Trade union membership totals approximately 1.66 million or nearly 60 percent of the work force. There have been no reports of any harassment or intimidation of any union or professional association. National unions and the Austrian trade union federation are members of a number of international bodies. The international labor organization has not expressed any concern about trade union freedom in Austria.

c. Freedom of Religion

This right is guaranteed by the Fundamental Law on the Rights of Citizens of 1867. There is complete freedom of religion in Austria, and most of the world's major religions are represented. There is no state religion.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The right to freedom of movement is guaranteed by law within Austria. No area of the country is closed to travel on either a permanent or a temporary basis, except for military facilities. There is no restriction on emigration or reentry for former Austrian citizens who wish to return to Austria. Austria is a country of asylum for refugees from Eastern Europe and the Soviet Union. The Government of Austria has imposed a visa requirement for most countries of Eastern Europe, making it somewhat more difficult for an intending refugee to obtain admission to Austria. Once in Austria, refugees are not forcibly returned to their homelands.

e. Freedom to Participate in the Political Process

This right is protected by the Austrian Constitution and by the Law on Political Parties of 1975, which forms part of the Austrian Constitution. All Austrian citizens over the age of nineteen are eligible to participate in elections and as a matter of practice a large percentage of the population does participate. There are three major parties (Socialist Party of Austria, Austrian People's Party, and the Freedom Party of Austria) as well as several dozen smaller parties. The Austrian political process is a lively one and is responsive to the voice of the electorate. Women are encouraged to participate actively in politics, although in practice far fewer women than men hold political office.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

There have been no requests for investigations of Austria's human rights record by major, non-governmental human rights organizations.

Austria has deposited a declaration with the Secretary General of the Council of Europe recognizing the competence of the Human Rights Commission in Strasbourg under Article 25 of the European Convention to receive petitions from any person or persons claiming to be a victim of the violation of the rights set forth in the convention. It also undertakes not to hinder the effective exercise of these rights. Thus persons believing that their rights have been infringed by the Austrian authorities may bring the matter before the Commission.

Amnesty International is quite active in Austria. Its primary concern is with human rights violations in other countries.

4. Economic, Social, and Cultural Situation

The benefits of Austria's economic, social, and educational system are available to all Austrian residents, irrespective of race, religion, sex, ethnic background, or political opinion. With per capita gross national product at $10,229 per annum (1980), most Austrians are able to meet their daily needs without difficulty. The availability of health care is indicated by the present life expectancy of 72.4 years at birth and the infant mortality rate of 13.9/1000. The population growth rate is only .1 percent. The adult literacy rate is 99 percent, and the primary school enrollment ratio was also 99 percent.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: AUSTRIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS.............	0.0	0.0	0.0
GRANTS............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS.............	0.0	0.0	0.0
GRANTS............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS.............	0.0	0.0	0.0
GRANTS............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS.............	0.0	0.0	0.0
GRANTS............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS.............	0.0	0.0	0.0
GRANTS............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS.............	0.0	0.0	0.0
GRANTS............	0.0	0.0	0.0
OTHER US LOANS..........	66.4	0.0	28.6
EX-IM BANK LOANS.......	66.4	0.0	28.6
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	105.5
IBRD	0.0	0.0	0.0	104.9
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	0.3
OTHER-UN	0.0	0.0	0.0	0.3
EEC	0.0	0.0	0.0	0.0

BELGIUM

Belgium is a parliamentary democracy under a constitutional monarch. Its Council of Ministers (cabinet) in practice is responsible for governmental decisions. The council, led by the Prime Minister, holds office as long as it retains the confidence of the Parliament. Direct popular elections for parliamentary seats (excluding 76 of the 182 Senate seats apportioned by other means) are held at least every four years under a system of universal suffrage, obligatory voting, and proportional representation. Belgium is a party to the 1950 European Convention on the Protection of Human Rights and Fundamental Freedoms. Political freedoms and guarantees of individual rights are embodied in the constitution and laws, and are observed in practice. Educational levels are high, as is public involvement in the governmental process. The Government is committed to continue a policy of social benefits and equitable distribution of economic gains to its population.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Neither the Belgian authorities nor officially-sanctioned groups engage in killings for political motives. Two Yugoslavs were shot to death in Brussels in March 1982, possibly by Croatian nationalists. A bomb blast in Antwerp's diamond district in October 1981 killed two, injured dozens, and caused extensive property damage. These were the only recent deaths in Belgium that could be described as terrorist-related.

Terrorism in Belgium has to date been a generally low-level, externally-motivated activity. The most recent instance was the machine-gunning of a Brussels synagogue on September 18, 1982, leaving four persons injured. No perpetrator has to date been found by the authorities.

b. Disappearance

Abductions, secret arrests, or clandestine detentions by official or quasi-official security forces, or by other officially-condoned elements, contravene Belgian law and are unknown in practice.

c. Torture

Freedom from torture is guaranteed by law and respected in practice. The Belgian Constitution provides that "no person may be prosecuted except in cases laid down by the law and in the form it prescribes" and "no penalty may be decreed nor applied save in accordance with the law". The Belgian Penal Code prohibits the deliberate mistreatment or injury of another and is applicable to the actions of officials, as well as those of private individuals.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Freedom from cruel, inhuman, or degrading treatment is guaranteed by law and is respected in practice. There are no differences in the conditions of confinement based on race, sex, religion, or social class. Persons convicted of non-violent crimes are, however, often assigned to minimum security facilities.

e. Arbitrary Arrest and Imprisonment

Freedom from arbitrary arrest and imprisonment is guaranteed by law and respected in practice. Arrested persons must be brought before a judge within 24 hours or released. Belgian law provides for pre-trial confinement only under special circumstances: when a person is apprehended in the commission of a criminal act; when there is a risk that the suspect will prove a danger to the community; when there is a risk that he will flee the jurisdiction; and in cases involving a number of serious offenses specified by law. The justification for such confinement is subject to periodic review by a panel of judges.

f. Denial of Fair Public Trial

A fair public trial, including the right to counsel, is guaranteed by law and honored in practice. A suspect is charged, if the evidence so warrants, when the preliminary judicial investigatory phase is completed. Charges are clearly and formally stated. A civilian may not be tried within Belgium by military courts; however, civilian dependents accompanying Belgian forces stationed outside the country are subject to the code of military justice and can be tried by military courts.

g. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice. The inviolability of the home is specifically guaranteed by the Belgian Constitution, except in cases laid down and regulated by law. The law forbids searches of private homes at night except in special circumstances; warrants issued by a judge are required unless the inhabitants of the domicile agree to the search. The penal code provides penalties for all violations of the home by officials as well as by private persons.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These freedoms are guaranteed by law and respected in practice. Varying political, religious, philosophical, and artistic views are permitted free public expression, and there is no political censorship of the media. There are, however, prohibitions on publications and productions held to undermine "public order" (e.g. pornography and incitement of violence). There are laws against libel, provisions for a citizen's right of reply to media criticism, and restrictions on criticism of government policies by civil servants. Belgium has a state-owned radio and television network, but there is no direct government control of program content. Programs are supervised by boards of directors which represent the main currents of opinion. The Government has a representative on the boards but no veto power.

b. Freedom of Peaceful Assembly and Association

Subject to regulations of public order, political, civic, religious, artistic, social, and special interest groups are permitted free public assembly. Labor unions and professional groups are free from harassment and persecution.

c. Freedom of Religion

The Christian, Jewish, and Moslem religions are accorded a "recognized" status in law which entails a government subsidy. Minority "non-recognized" religions enjoy full freedom to practice and are not subject to harassment or persecution.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

These freedoms are guaranteed by law and respected in practice. Belgian citizens enjoy freedom of travel within the country and internationally, including the right of voluntary repatriation. Within a system of immigration and labor regulations, Belgium previously admitted a large number of foreign immigrants. The granting of resident status to non-European community nationals has become more restrictive in recent years due to domestic unemployment. As a general practice, Belgium grants the right of political asylum to those foreign nationals applying in Belgium who are recommended by the local office of the UN High Commissioner for Refugees as eligible for asylum.

e. Freedom to Participate in the Political Process

Participation in the political system is open to all citizens. Suffrage is universal for all adults (18 or over), secret, and compulsory. Unweighted voting (one person/one vote) has been in effect since 1919, and women's suffrage since 1948. Women are legally equal to men in virtually all respects and participate freely in political, as well as social and economic life; the number active in these areas is growing. In mid-1982 women had 11 out of 212 House seats and 21 out of 182 Senate seats in Parliament, as well as 4 of the 9 State Secretary (subministerial) portfolios. There are 13 parties currently represented in the Belgian Parliament. Opposition parties are free under law and in practice to operate without constraints or repression.

Labor unions in Belgium are organized along lines parallel to political parties. Therefore, it is partly through the political parties that the Belgian Socialist, Catholic, and Liberal trade union federations influence the political process. Since approximately 80 percent of the labor force is affiliated to one or another of the labor unions, the unions are a significant force in society, the polity in general, and in the economy in particular.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Belgian Government has been active in promoting independent investigation of alleged human rights violations. No requests have been made for outside investigation of the human rights situation in Belgium.

4. Economic, Social, and Cultural Situation

Belgium is an affluent country. Its per capita gross national product in 1982 was about $9,370. The Government is committed to policies ensuring that these benefits are distributed equitably throughout the economy. The adverse effects of a general downturn in the world economy, combined with structural problems in the national economy, have led to a high unemployment rate. This is being confronted by remedial governmental policies and by an extensive system of unemployment compensation and other social benefits. In most cases, these have prevented serious individual hardship.

A common public educational system serves all economic levels. Women in Belgium hold many positions of distinction, power, and importance in areas such as politics, business, science, medicine, and the arts. As a rule, however, women occupy lower-paying positions. Foreign workers, both male and female, who usually perform menial functions, generally earn the lowest wages and fill the socially less desirable jobs. Belgium has provided the basic legal guarantees and the benefits of its extensive social security system to most foreign workers.

To confront the longstanding problem of linguistic division between the Dutch-speaking north and the French-speaking south, detailed provisions have been made in law and government structure to assure equitable participation in the national life for both major linguistic groups. A long-term solution to the linguistic community problems remains a priority goal of the government, and new legislation to this end was enacted in 1980. Implementation legislation is expected in 1983.

Belgium's population enjoys a life expectancy at birth of 72.9 years. The infant mortality rate is 11 per 1,000 live births (1981). Its population is growing at the rate of 0.2 percent per year (1980). The population is almost totally literate, and the adjusted primary school enrollment rate for both sexes is 100 percent.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: BELGIUM

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS......	0.0	0.0	0.0
PAY. IN FOR. CURR......	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
OTHER US LOANS..........	62.3	16.8	0.0
EX-IM BANK LOANS.......	62.3	16.8	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	58.0
IBRD	0.0	0.0	0.0	57.8
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	0.0
OTHER-UN	0.0	0.0	0.0	0.2
EEC	0.0	0.0	0.0	0.0

BULGARIA

Human rights in Bulgaria are decisively and profoundly influenced by the country's communist political system with its almost total control in the social, economic, and cultural as well as political fields. A relatively small communist party elite holds political power, claiming to be a "dictatorship of the proletariat" according to the tenets of Marxism-Leninism. The post-war economy has traditionally been patterned on the Soviet Union's highly centralized command economy, although in the last few years Bulgaria's leadership has been experimenting with some decentralization of economic decision-making. While still a large producer of agricultural goods, Bulgaria has also made strides in industrial development.

While there does not seem to be any widespread pattern of physical oppression and brutality by the Government, the rulers have not given the population any measure of civil or political liberties. Because of the lack of an organized dissident movement or openly expressed disagreement with the party line, the Government generally has not needed to exercise its control in any obvious tests of power. Instead, in order to maintain social control, the Government has been able to rely on the people's memories stretching back 20 or 25 years to a time when the Government was more openly repressive than it is now. The Government's present style of keeping the population in line affects the life of every Bulgarian citizen directly every day.

There have been no changes in the state of human rights in Bulgaria during the last five to ten years. Although the Government has tried to show a more liberal face to its population and the West in recent years, especially by allowing expanded, though carefully controlled, access to Western cultural life through films and books, as well as cultural agreements such as the two-year program document recently agreed upon with the US, the human rights situation in Bulgaria has basically remained unchanged.

1. Respect for the Integrity of the Person, Including Freedom from:

   a. Killing

There were no known incidents within Bulgaria of politically motivated killing by the Goverment. There are no known organized opposition groups in Bulgaria. Although Bulgarians are generally not the victims of terrorists, the Bulgarian Government reportedly aids some international terrorist organizations. Bulgaria makes no secret of its support of "National Liberation Movements", including the provision of training and arms. Despite continued press reporting regarding Bulgarian involvement in terrorism, there was no conclusive demonstration of Bulgarian Government involvement in any individual terrorist act during 1982.

b. Disappearance

There have been repeated reports over the years that persons have been held clandestinely for limited periods by the Bulgarian state security organs. However, few details are available regarding individual cases, and there are no recent reports of disappeared persons.

c. Torture

The use of torture and "coercive measures" are forbidden by of the Bulgarian Penal Procedures Code. A number of ex-prisoners have indicated that while conditions are often primitive, there is no pattern of deliberate mistreatment or torture. (See d. below.) Amnesty International has expressed concern about reports it has received concerning the treatment of political prisoners in Sofia. According to these reports, prisoners have been subjected to severe psychological and sometimes physical pressure while detained for preliminary investigation.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

There have been reports of severe prison conditions in Bulgaria, particularly for those persons sentenced to hard labor. Prisons are said to be crowded, and appear drafty and shabby. Visits by family and friends are allowed on a monthly basis for all but political prisoners, i.e. those sentenced for espionage or anti-government activity. It is not known whether international organizations interested in prisoner welfare have received access to detainees, although several are reported to have made inquires regarding such access.

e. Arbitrary Arrest and Imprisonment

The Bulgarian Government does not officially recognize the existence of political prisoners in the Bulgarian penal system. However, Amnesty International has in recent years expressed concern about Bulgarians whom it believes to be political prisoners. The principle of habeas corpus exists under the Bulgarian criminal code. It is followed in practice in all but a few cases the Government considers politically sensitive. The law provides for "preliminary detention" in cases where evidence indicates some justification for a later indictment, although the law states that there will be a 10 day limit on such detentions. The accused can wait for formal indictment for up to six months, provided charges have been made. In all cases, the accused must be informed of the charges pending against him. However, these procedural safeguards are often violated substantively, if not technically, by the Bulgarian authorities. (See f. below.)

f. Denial of Fair Public Trial

Bulgarian law and general practice provide for public trials in criminal cases. Defendants are entitled to counsel, but only after a preliminary investigation, sometimes lasting many weeks, has been completed and an indictment prepared. In the meantime, the accused may be detained without access to counsel. When legal counsel is finally available to the accused, it is usually chosen and most probably influenced by the Government. There are special court procedures for cases involving what the Government regards as state security. A trial may be held in camera to preserve a state secret or to protect "socialist morality."

Generally, the Bulgarian Penal System follows the letter of the law. A basic problem, however, is that while the laws themselves are codified and published, numerous procedural and administrative regulations are not. Frequently, such regulations, most of which are not published, are invoked seemingly arbitrarily. The defendant and his counsel have little recourse, since the validity or applicability of the regulation in question cannot easily be verified. These procedural regulations play a central role in the judicial system and enable the Government and its prosecutors to manipulate the circumstances and outcome of trials. Therefore, total party and executive branch control over the legal process rather than an independent judicial system is the rule.

g. Invasion of the Home

By law the sanctity of the home is safeguarded. Police authorities may search property legally only with prior permission from a responsible court or prosecutor. Such searches may, however, be legally undertaken in urgent cases prior to approval by judical authorities. Some Bulgarian citizens who have attracted the government's attention because of frequent unauthorized contacts with foreigners or applications for emigration or travel abroad assume that their homes or telephones are "bugged".

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Bulgarian Constitution of 1971 guarantees certain basic rights including speech, press, association and demonstration, and privacy of correspondence and communication, except in cases of national emergency. In practice, these freedoms are circumscribed to varying degrees, and they are not permitted to be exercised in any way that might weaken communist party control. Consequently, genuine political freedom does not exist. The state controls the press, decides which political organizations may exist, and determines which political demonstrations may take place. Laws severely punish anyone accused of "founding an illegal anti-state organization" and criticizing the state (articles 108,109, 113 of the Bulgarian Penal Code.) Article 273 proscribes the dissemination of "untruthful remarks which might increase mistrust of state power or cause confusion in society". The divulging of economic information, such as the size of the foreign debt, is illegal and subject to severe penalties.

Domestic opposition to the state or party is not tolerated; if found, it is dealt with promptly and severely with prison sentences. The state security (Durzhavna Sigurnost) authorities are instrumental in uncovering and overseeing the punishment of those citizens accused of such anti-state and anti-party activities. The public is permitted to send criticism, suggestions, and complaints by letter to newspapers and to national assembly representatives on a broad range of topics such as inadequate service from public agencies and housing shortages. Nonetheless, published letters generally do not go beyond criticism of specific economic or services shortfalls, or failures of individuals in government administration. None deals with fundamental questions of how society, the economy, or the nation's political life are structured. Thus the state allows open, albeit strictly limited, criticism to take place, and evidently seeks to investigate complaints and respond to them. It also appears to manipulate this criticism, for example publicizing more of it before major events (such as the party congresses), possibly to justify shifts in government personnel and to present a liberal, responsive image.

Although censorship does not exist officially, the media must operate within well-understood party and state guidelines and practices (e.g. international news is usually limited to that provided by the government news agency or official Soviet sources.) Forbidden topics in the Bulgarian press include unauthorized criticism of party and state leaders, of socialist ideology, and of the USSR and other socialist countries. Opposition views have not been aired since 1947, when the last independent newspapers were taken over by the state.

The Bulgarian service of the Federal Republic of Germany's Deutsche Welle, of Radio Free Europe, the Voice of America, and the BBC are jammed with uneven effect. Bulgaria does not permit the open sale of Western periodicals except for occasional very small numbers of newspapers sold in hotels frequented primarily by foreigners. Mail from Western countries is periodically screened, and items found offensive to the state and pornographic materials are confiscated.

b. Freedom of Peaceful Assembly and Association

In practice freedom of assembly is a right granted only to legally-constituted organizations and only for approved purposes. Public assemblies are never spontaneous affairs, but rather party-or government-organized to achieve a particular purpose. There are no independent trade unions in Bulgaria, and workers are not free to negotiate or strike for better pay or work conditions. An active trade union movement exists, but totally within the party/state framework. Unions do not have the rights to strike, to bargain collectively, to lobby, or to assemble freely. Their functions are to look after the social welfare of their members and to work to increase the quantity and quality of production. Nearly all trades, industries, and professions have government directed union organizations, including lawyers, artists, composers, writers, and academics. Many such "labor" organizations, especially in the professions, have frequent contact with foreign, even Western, counterparts. Foreign travel by professionals is usually arranged through these organizations.

c. Freedom of Religion

Religion may be practiced, within limits, by believers in denominations recognized by the Government, especially the Bulgarian Orthodox Church. However, being a church member or being active in religious affairs has a decidedly negative effect on admission to higher government and party positions. Amnesty International has reported that Muslim believers in Bulgaria, both members of the Turkish minority and ethnic Bulgarians (Pomaks), have been persecuted and imprisoned because of religious activities or their ethnic backgrounds. Reportedly the Government pressures Pomaks to renounce at least outwardly Muslim ways by denying official documents (records of birth, marriage, diplomas, etc.) unless they adopt Slavic names, rather than the Muslim and Turkish names they apparently prefer. There have also been reports that members of Pentecostal sects have been punished by the Government for religous activities. Recently new restrictions were placed on Bulgarian Roman Catholics. In addition, the Government is quite sensitive to unauthorized evangelical missionary activities, particularly those undertaken, or supported, by foreign religious organizations.

Although theoretically there is separation of church and state, the Government and the party exert very strong influences over the Orthodox Church. The state uses the overwhelmingly-predominant Orthodox Church to support its policies in areas where the objectives of the church coincide with those of the state, e.g. propaganda for peace and (Western) disarmament. In general, the Government of Bulgaria supports the "historical/cultural" role of the Orthodox Church, while discouraging indirectly the practice and propagation of the faith. The Government closely monitors and circumscribes organized religion in Bulgaria through numerous control mechanisms, e.g. the importation of Bibles, and the distribution of religious publications other than those of the Bulgarian Orthodox Church. The inadequate supply of Bibles and the prohibition on their importation have been sources of conflict between the Government and believers who have attempted to bring or send Bibles to Bulgaria. According to church officials a new Bulgarian Orthodox Bible, long planned, and supposedly "suitable" for other denominations, including Judaism, will soon be published. The state allows the Bulgarian Orthodox Church certain privileges in addition to that of publishing the authorized Bible. These include the operation of a seminary and the sale of authorized publications and religious artifacts.

The Government has also taken some measures to preserve and protect the practice of Judaism. Jewish cultural, social, and religious institutions receive financial support from the state. There are no rabbis, and religious schools are not permitted. In general, Jewish organizations stressing ethnicity rather than religion are given a freer reign and a larger government subsidy than religious assemblies.

The Government allows all recognized religions to hold church services and to take up collections at these services. Religious instruction for youth is extremely limited, although children and young adults frequently attend services with their parents and grandparents. In addition to Bulgarian Orthodox, Roman Catholic, Uniate, Congregational, Methodist, Baptist, Pentecostal, Seventh Day Adventist, Armenian, and Islamic religious organizations also are represented in Bulgaria within the limited scope they are allowed.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Freedom of movement, within Bulgaria and in exiting the country, is neither guaranteed under law nor respected in practice. Within the country, Bulgarians may normally visit freely all areas except certain designated border zones. Bulgarians must carry internal passports, however, and inform police of their destination. In 1981 new laws and administrative procedures were put into practice to streamline and perfect the internal passport and domestic registration systems. The Government strictly controls the right to change residence within the country, especially restricting residence in Sofia and other major cities. Travel by Bulgarian citizens to other East European countries is somewhat limited, and travel to the West is severely restricted. A citizen's application for an exit document may be refused for several reasons, but most often because travel is deemed "not in the interests of the state." Applications to visit the West are processed arbitrarily, especially when the applicant wishes to visit a relative who left Bulgaria without the permission of the Government.

Emigration is provided for by law, but rarely permitted. In such cases, however, citizenship is almost never revoked. A few intending emigrants are subjected to overt government persecution. Improvements in everyday life, such as promotions, new jobs, and educational opportunities, usually are not given to intending emigrants, even if the state approves their departure. There are reports of loss of jobs by applicants for emigration. Those emigrating within five years after completion of higher education are often required to pay the Government for part of the cost of education. The Bulgarian Constitution grants the right of asylum to foreigners persecuted for actions, such as "defending the interests of the working class," which have a strong Marxist flavor. Bulgaria has cooperated in the past 35 years in the permitting the emigration of Turks and Jews. Approximately 150 Bulgarians refugees annually request admission to the United States, and the total number of Bulgarians fleeing to Western Europe annually is probably considerably higher than this number. Bulgaria insists on forced repatriation of citizens caught in other communist countries attempting to flee to the West. In July 1981 the Bulgarian National Assembly passed a new law granting amnesty to all those who had fled the country and returning before the end of 1983, but few Bulgarians apparently have accepted this offer.

e. Freedom to Participate in the Political Process

Bulgarian government and society are organized along standard communist lines. The Bulgarian constitution calls the communist party the "leading force in the society and in the state." With one of the larger per capita memberships of any communist country (over eight percent of the population), the party is thoroughly dominated by a smaller group which controls policy. Rank and file members of the party hold no genuine political power. Political pluralism and free participation in the political process are essentially non-existent. When Bulgarians are confronted with arbitrary, unjust, or illegal actions by the state they have no sure means of redress. The Bulgarian Constitution and various implementing laws embody the Government's intent to achieve for absolute political control, while maintaining at least the appearance of pluralism. Bulgaria describes its political system as a two-party system composed of the Bulgarian communist party and the co-opted rump of the Bulgarian Agrarian union. These two parties, together with labor, youth, and other organizations, comprise the Fatherland Front, an umbrella organization of communist and non-communist "progressive" elements established in 1942. In practice, however, the Fatherland Front as well as its various organizations are all ultimately controlled by the Communist Party, to which Article 1(3) of the Constitution gives clear primacy. The Agrarian Party runs separate candidates, and holds about one-fourth of the seats in the National Assembly, but candidacies are worked out jointly with the Communist Party in advance. Candidates of the two parties do not run against one another, nor do they face any other opposition. Real opposition parties have remained effectively outlawed since the 1940's. From time to time the Bulgarian press announces election results in which it is claimed that more than 99 percent of the population has participated in affirming the position of the party and Government by voting in these "elections" without opposition candidates. To varying, but always limited degrees, organizations such as labor unions, professional associations, elements of the Fatherland Front, the Communist Party itself, and a new draft law on "referenda", are supposed to serve as mechanisms for the transmission of citizens' views upwards, and as fora for dialogue. However, with total power over these channels of influence, and control of the news media, the Party and Government have no difficulty controlling the dialogue and using these exchanges to maintain the system and improve its everyday adminstration.

Women officially have equal rights with men and their status has steadily improved in recent years. A National Women's Committee produces a monthly publication and otherwise takes an active role in promoting women's interests. Women are under-represented in the highest decision-making bodies of the Government and party, however. Only one of the eleven full Politburo members is a woman, and the three candidate-members are all men.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Although Bulgaria has participated in all of the sessions of the Madrid Conference on Security and Cooperation in Europe follow-up meeting discussing human rights, the Government has consistently supported the Soviet position of accusing the West of interfering in internal matters by attempting to discuss human rights. The Bulgarian human rights record has been the subject of Amnesty International's repeated investigations and the organization has regularly published the results of its investigations. Bulgaria has not admitted any independent group to investigate questions of human rights violations, however, and has not responded to allegations from international human rights groups. Freedom House called Pukgaria "Not Free" in 1982.

There are no government or private organizations in Bulgaria which attempt to protect individual liberties or observe and report on human rights violations.

4. Economic, Social, and Cultural Situation

Bulgarian society exists within the framework of a socialist economy with the emphasis on state planning and control of all significant means of production.

The Government is experimenting with new and somewhat more liberal approaches to the management of the economy, probably more superficial than real. The Bulgarian Government claims an economic growth rate of 5.7 percent for national income in 1980. All citizens are guaranteed a job, and officially there is no unemployment, although in practice under-employment is widespread. The per capita GNP in 1981 was $2669 and the average monthly salary of about 200 leva ($210 at the official exchange rate) allows Bulgarians an adequate, if frugal, existence, particularly in light of low rents, inexpensive public transportation, and low-priced basic food products.

Basic economic and social needs are generally met on a non-discriminatory basis. Although Bulgaria has poor people, there are not great disparities between poverty and wealth. Success in the government or party confers privileges rather than wealth. Most taxes are included in the price of goods, and necessities (basic food items, transportation, and housing) are state-subsidized. There are limits on private property ownership. A person can own his own home, a country villa, a car, a small number of livestock, and a small plot of land normally not exceeding 2.5 acres. In practice, few people can afford most of these luxuries. Bulgaria's leaders are concerned about the country's low population growth rate of 0.5 percent in 1980 and have established financial incentives for families to have children. Life expectancy at birth is 72.6 years (1980) and the infant mortality rate per 1000 live births is 19.9 (1980). Medical care is free, and 1978 government statistics show one doctor for every 432 citizens, and 88 hospitals beds per 10,000 citizens. The percent of calorie supply available for consumption as a percentage of total domestic nutritional requirements is 144 percent (1977), one of the highest in the world. Extensive construction of new public apartment buildings in the past decade has improved the general housing situation. Shortages continue, however, and Bulgarians still wait years for a new apartment.

Education is free through the university level, with a general system of merit selection for university admission. Certain priorities and privileges go to the children of the influential, however. Adult literacy is high (90 percent in 1970). The primary school enrollment ratio in 1979 was 96 percent. Bulgarian educational and professional opportunities are not discriminatory against women. One half of the openings for university students available each year are reserved by law for women, who consequently are well represented in some of the more prestigious professions such as medicine, although only at lower levels Women continue to be overrepresented in manual occupations in areas such as farming, light industry, and cleaning and maintenance, however.

CANADA

Canada is a constitutional monarchy with a federal system, parliamentary form of government, and a strong democratic tradition. Under Canada's federal system, specific governmental responsibilities are reserved either to the provinces or national government. Each has substantial autonomy in its respective areas of competence. The multi-party system provides for democratically elected representatives at local, provincial, and federal levels by universal suffrage. Canadians have a high standard of living and a comprehensive system of government services. An active free press and the information media allow public discussion and examination of all issues affecting Canadians.

Respect for fundamental human rights in Canada is based on a number of federal and provincial documents which reflect the political, cultural, and social practices of the Canadian people.

In 1982 Canada revised its Constitution and added a Charter of Rights and Freedoms. On April 17 Queen Elizabeth signed a proclamation which "patriated" the Constitution giving Canada the right to amend the document in all respects with no reference to the UK Parliament. The Charter of Rights and Freedoms guarantees fundamental rights to everyone including "(a) freedom of conscience and religion; (b) freedom of thought, belief, opinion and expressions including freedom of the press and other media of information; and (c) freedom of peaceful assembly and of association." The Constitution also guarantees the right to vote and to travel freely as well as legal and language rights. It provides for judicial review of actions in these areas by the federal parliament or provincial legislatures.

These rights are "subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society." The Parliament or provincial legislatures may enact limited exceptions to certain Charter provisions for up to five years (renewable for another five) when express declarations are made that the Act in question shall operate notwithstanding the Charter. Otherwise, the Charter of Rights and Freedoms places basic human rights beyond the reach of ordinary legislative action. The War Measures Act of 1914 permits a declaration of a state of emergency with suspension of certain civil liberties in the event of war, invasion, or insurrection.

Canada maintains full commitment to human rights. The Canadian public, Parliament and the media are quick to react to any real or suspected infringement on basic freedoms, not only in Canada but elsewhere in the world. Canada is a staunch supporter of United Nations resolutions and declarations on human rights. It has played a leading role in stimulating global concern for human rights abuses and in working to strengthen international human rights machinery. Traditionally a place of refuge for victims of oppression in other parts of the world, Canada has welcomed large numbers of refugees in addition to contributing substantial sums for humanitarian assistance.

Although legislative protection of human rights falls under the jurisdiction of both federal and provincial governments, the specific guarantees discussed below are those in existence at the federal level, often reinforced by complementary provisions in provincial statutes.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There was no politically motivated killing, either by the government or its domestic opposition, in 1982. Political violence is rare in Canada. Since the demise of the Quebec Liberation Front more than a decade ago, the country was free of such activity until the attempted assassination of a Turkish diplomat in April 1982. Armenian terrorists who claimed credit for that attempt struck again in August, murdering the Turkish military attache in Ottawa. The country reacted with shock and outrage. Canada's Prime Minister condemned the crime and vowed Canada's resolve to capture the perpetrators. Security measures were enhanced and the Canadian authorities have concentrated considerable resources on resolving the case.

b. Disappearance

Secret arrest or clandestine detention is contrary to law and does not take place in Canada; neither do politically motivated disappearances occur.

c. Torture

Torture is contrary to Canadian tradition and law. These principles and guarantees are respected in practice.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The Criminal Code prohibits cruel, inhuman, or degrading treatment as does the Bill of Rights. The 1982 Charter of Rights and Freedoms also proscribes such punishment. The death penalty has been abolished for all crimes except for certain offenses against the Code of Military Service Discipline. Prison conditions and overcrowding have been topics of public discussion.

e. Arbitrary Arrest and Imprisonment

The 1982 Constitution, subject to override provisions, prohibits arbitrary detention and imprisonment. It also recognizes, the right to be informed promptly of reasons for arrest or detention, to retain counsel without delay and to be informed of that right, to have the validity of the detention determined by way of habeas corpus, and to be released if detention is not lawful. Accused persons are generally released pending trial, and there are provisions for judicial review at specified intervals when pre-trial detention does occur.

f. Denial of Fair Public Trial

The Charter of Rights and Freedoms and the Bill of Rights give individuals charged in criminal proceedings the right to a public trial before an independent and impartial tribunal. The new Charter also guarantees the right not to be tried twice for the same offense, the right of witnesses against self-incrimination, the right not to be denied reasonable bail without just cause and the right to the assistance of an interpreter.

More generally, in civil as well as criminal matters, the presumption of innocence and the right to a public trial are fundamental features of the Canadian legal system. Defendants have the right to counsel of their choice. Although there is no provision of general application in federal law recognizing the right to legal assistance, persons charged with criminal offenses under federal law may generally take advantage of provincial legal aid programs subsidized by the federal government. The judiciary in Canada is an independent branch of government. Judges are appointed by either the federal or provincial government, depending on the level and jurisdiction of the court. Secure tenure of judges and standards set by provincial law societies contributes to this independence and impartiality.

g. Invasion of the Home

The Criminal Code prohibits forcible entry into real property in the peaceable possession of another. If a police officer, when not authorized to do so in law, conducts a search without a warrant, he becomes an intruder and is subject to legal penalties. The 1982 Charter of Rights and Freedoms also guarantees security against unreasonable search or seizure, subject to the exception provisions noted above. Upon petition of the Federal Court of Canada and with sufficient justification, a law enforcement official may be granted a "Writ of Assistance," which empowers the official with due cause to enter and search premises without a specific warrant. The writ, usually issued under the Narcotics Control Act, is non-specific and open-ended, empowering the particular law enforcement officer throughout his career. According to official inquiries, some abuses, including surreptitious entry and mail openings, have occurred in the past. Recommendations were made to ensure adherence to the rule of law in the future. In general, Canadian law enforcement agencies enjoy high regard and wide public support.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The 1982 Charter of Rights and Freedoms specifically guarantees "freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication."

In practice, viewpoints representing the complete political spectrum are vigorously argued in newspapers and other publications across Canada and on the more than 2,000 publicly and privately owned broadcasting stations. In most radio and television broadcasts, the majority of the content must be of Canadian origin. Tax exemptions granted to a Canadian firm advertising in Canadian media are not granted if the firm advertises in foreign media aiming at a Canadian audience, thus discouraging the practice. Subsidized postal rates for Canadian publications provide them an advantage over foreign-owned publications printed and mailed in Canada and those printed abroad and brought into Canada for mailing. Some provinces maintain censor boards with authority to delete sexually explicit or violent material from films for distribution. In the political sphere, opposition party critiques of official policy are widely reported and, during parliamentary sessions, daily debates and question periods are televised nationwide. A similar practice is followed by some provinces.

b. Freedom of Peaceful Assembly and Association

Noting the exception and "reasonable limits" clauses, the Canadian Constitution guarantees freedom of peaceful assembly and association. Canadian labor unions enjoy notably wide freedom of action and, representing 30.6 per cent of the work force, play an important role in society and the economy. Canadian law recognizes the right of labor in both the public and private sector to organize, associate freely, bargain collectively, and strike. These rights are well established and recognized in practice, although citing economic circumstances, the federal government and several provinces have passed legislation which limits somewhat the collective bargaining rights of public sector employees. Federal and provincial legislation proscribes discrimination in union membership recruitment and employee hiring.

c. Freedom of Religion

The Constitution recognizes the fundamental freedom of conscience and religion. There is no national religion. The major religious groups are Roman Catholic, United, (a union of several Protestant groups), Anglican, and Jewish. Others, notably Islam, Hinduism, Buddhism, and Sikh, have been introduced by more recent immigrants. All faiths enjoy freedom of worship and religious expression.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Canadian citizens and permanent residents have the constitutional right of free movement in Canada; they can live and work in any province. The Constitution also protects the right of every citizen to enter, remain in, and leave the country. However, federal officials have expressed concern over provincial laws which inhibit non-residents of a province from working or owning land, and which create other barriers to the free flow of capital, labor, and services throughout the Canadian economy. The Charter of Rights in the new Constitution strengthens the right of citizens and permanent residents to establish residence in any province and to take up employment there. It mandates equality of treatment in employment, subject to exceptions for provincial "affirmative action" programs for socially and economically disadvantaged groups. This adjustment will require accommodation of provincial and federal responsibilities and authority and may require adjudication by the courts.

Nearly one-half million refugees and displaced persons have resettled in Canada since the end of World War II, including 75,000 Indochinese admitted since 1979. Canada is a principal haven for refugees and immigrants. Over the last five years, Canada has admitted one immigrant for every 30 residents, and one refugee for every 324 residents--the highest per capita ratio of refugees to total population of any country in the world. In 1981, Canada contributed approximately forty-three million dollars for refugee humanitarian assistance, and a similar figure is anticipated for 1982. The Canadian Government has taken a major role in focusing international attention on the causes of refugee problems, particularly when widespread violations of human rights have contributed to mass population movements. Private citizens and voluntary organizations play a large part in Canadian refugee programs alongside government-supported activities. Canada's annual refugee plan for 1982 called for the admission of 4,000 Indochina refugees, 6,000 refugees from Eastern Europe, 1,000 from Africa, the Middle East and other world areas, plus 2,000 contingency reserve spaces. These figures reflect government-sponsored refugee levels and do not include more than 4,000 privately sponsored and family reunification cases.

e. Freedom to Participate in the Political Process

Legislative power at the federal level is vested in the House of Commons, whose members are elected through universal suffrage (in secret ballot by adult Canadian citizens), and in an appointed Senate. Elections for the 282 single-member constituencies must be held at least every five years, and participation rates are high. In the 32nd Canadian General Election in February 1980, more than 11 million Canadians, 69 per cent of registered voters, cast ballots. Canadians have complete freedom to join and participate actively in the political party of their choice. Three parties are represented in the House of Commons and several others function in the provincial level. All provinces and territories have their legislatures.

Women are increasingly active in Canadian political life. They participate fully in political parties and are represented in Parliament and provincial legislatures. A Cabinet Minister is charged specifically with responsibility for the status of women. A federal Advisory Council on the Status of Women, consisting of women with distinguished records in business, government, and social service, advises the Minister of Women's Affairs on measures to maintain sexual equality within the public service and in federal legislation. Canada has ratified the UN Convention prohibiting all forms of discrimination against women, and the new Charter of Rights and Freedoms contains a clause specifying that all its provisions pertain equally to men and women.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Canada has vigorously supported efforts to increase the authority of international bodies to investigate and deal with human rights abuses. An exhaustive report documenting Canada's observance of the International Covenant on Civil and Political Rights was presented to the United Nations Human Rights Committee in Geneva in 1980 and has been widely distributed inside Canada. Canadian initiatives have been instrumental in achieving major advances at recent sessions of the UN Commission on Human Rights.

Numerous mechanisms and institutions exist in Canada for monitoring human rights practices. The Canadian Human Rights Commission, established in 1977, is charged with investigating and resolving complaints of discrimination in government and business activities under federal jurisdiction, and combatting discrimination through information, education, and research. The Commission's annual report published in March, 1982, reported over 23,000 inquiries, the majority for information and referral to other authorities. The Commission accepted 479 formal complaints in the past year. In addition to recommending amendments in legislation affecting Indians, the Commission also advocated changes in the Unemployment Insurance Act, measures to reduce racial tension and promote affirmative action, aid to disabled, and strengthened occupational health and safety codes. Each province also maintains a similarly active and effective Human Rights Commission.

Since 1975 a continuing federal-provincial committee of officials responsible for human rights has been in existence to provide a forum for intergovernmental discussion on matters related to human rights in Canada. Canada's Commissioner of Official Languages reviews public complaints over violations in statutory language rights which guarantee Canadians the right to deal with federal institutions in either French or English.

Non-government human rights organizations and interest groups are also active in maintaining high public concern over human rights issues in Canada and abroad. The prominent role occupied by human rights considerations in Canada's external relations was reinforced in the March, 1982, Annual Conference on Foreign Policy and Human Rights, sponsored by the Canadian Human Rights Foundation and attended by senior government officials and private experts from across the country and abroad.

4. Economic, Social, and Cultural Situation

Food, shelter, health care, and education are available to all Canadians regardless of race, religion, sex, ethnic background, or political opinion. The Canadian government has demonstrated a strong commitment to improving the lot of the poor. The federal and provincial governments administer extensive social welfare programs. An equalization system provides for transfers of revenue from the more prosperous provinces to those which are relatively less well-off. Education is free up to grade 13. All Canadians are covered by a national medical and health insurance program. Canada is one of the few countries in the world which provide for full automatic indexing of income tax levels to adjust for inflation. There is a comprehensive and generous program of unemployment insurance compensation administered by the federal Department of Employment and Immigration. Over two million Canadians over 65 receive old-age security payments.

A sophisticated system of education, including numerous universities and other institutions, both public and private, contributes to the free flow of ideas. The literacy rate is 98 per cent and the primary school enrollment ratio is 102 per cent (includes students enrolled from outside the "appropriate" age group). The Quebec Superior Court recently overturned portions of a provincial law which the court determined restricted the education and mobility of English-speaking students. The ruling, which hinged on the "reasonable limits" to fundamental freedoms versus individual rights, was the first major test of the new Constitution. The provincial government is appealing the ruling, although it has indicated certain adjustments may be made to the language law.

The Canadian Human Rights Commission has recommended steps to end sexual discrimination in existing legislation which denies Indian status (the right to tribal membership, and related benefits) to native women who marry non-Indian men. A section of the Charter of Rights and Freedoms, due to take effect in 1985 and subject to override provisions, guarantees equal benefit and protection of the law without discrimination based on race, national or ethnic origin, color, religion, sex, age or mental, or physical disability. The delay in entering into force is to allow the federal and provincial government time to review and adjust existing practices and statutes.

Associations of Indian, Inuit, and Meti peoples have laid formal claim to large areas of Canada, and agreements applying to two areas were reached in 1975 and 1978. After extensive study, the federal government, in late 1981, reaffirmed its commitment to negotiating settlements of claims based on aboriginal title relating to traditional use and occupancy of land. The government is offering to extend new benefits and rights in exchange for those based on traditional interests. It proved impossible to resolve this issue during the constitutional negotiations, so the new Constitution specifically "recognized the existing aboriginal and treaty rights of the aboriginal peoples of Canada" without going into further detail. Futhermore, the Charter of Rights provides that its guarantees shall not be construed so as to derogate from aboriginal rights and freedoms previously recognized or acquired in land claims settlements. Which aboriginal rights should be constitutionally protected will be the subject of a constitutional conference. It will be held by April 1983, and include representatives of aboriginal peoples.

According to a report of the Department of Indian and Northern Affairs, native peoples as a group have less access to social benefits provided by the government, and suffer traditional social problems more deeply, than the mainstream of the population. Infant mortality rates are twice, and suicide rates three times, the national average. Life expectancy is 10 years below the national norm and violent death occurs 4 to 5 times more frequently than in the country as a whole. Indians occupy penal institutions in numbers more than three times their proportion of the population, and juvenile delinquency also is around three times the national average. Welfare payments are the main source of income for just over half the Indian population (which has more than doubled since 1951), the report concludes. Indians obtained the franchise in federal elections in 1960 and, during the 1950's and 1960's, in the provinces as well. As mentioned above, the federal government and the provinces, in concert with the Indians, are acting to redress the situation through a series of measures, some of which may alter the constitutional basis concerning the status of Canada's native peoples. The federal budget for Indian affairs is approximately US$820 million in fiscal year 1982, one half of which is to be administered by the Indians themselves.

Much emphasis has been placed on the fostering of a bilingual, multicultural society in which all may enjoy freedom from discrimination while maintaining distinct cultural identities with Canada. In particular, the Official Languages Act of 1969 declared English and French to be equal in status, rights, and privileges in all federal institutions. During the 1970's federal policies nearly doubled the percentage of officer ranks in the public service occupied by francophone Canadians. The new Constitution ensures that most Canadians belonging to either of the official language groups have the right to educate their children in that language, wherever numbers warrant. As noted previously, this right already has been successfully defended in Quebec's Superior Court. The Constitution does not require Quebec to provide English language schools for children of immigrants or other non-Canadians.

Canada's per capita gross national product in 1980 was $10,131, compared with $9,640 in 1979. Canada's population of 24,326,000 (1981 figures) grew by 1.3 percent in 1980. In 1981, the infant mortality rate was 12 per 1,000 births and life expectancy (1980) was 74.2 years. According to 1976 figures, 98.5 percent of the population have access to safe water. The ratio of calorie supply available for consumption relative to nutritional requirements in 1977 was 127 percent.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: CANADA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS.............	0.0	0.0	0.0
GRANTS............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS.............	0.0	0.0	0.0
GRANTS............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS.............	0.0	0.0	0.0
GRANTS............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS.............	0.0	0.0	0.0
GRANTS............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS.............	0.0	0.0	0.0
GRANTS............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS.............	0.0	0.0	0.0
GRANTS............	0.0	0.0	0.0
OTHER US LOANS..........	224.0	1170.4	83.2
EX-IM BANK LOANS.......	224.0	1170.4	83.2
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	0.1
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	0.0
OTHER-UN	0.0	0.0	0.0	0.1
EEC	0.0	0.0	0.0	0.0

CYPRUS

Cyprus has been divided since 1974 as the result of military intervention by Turkey that followed a coup d'etat directed from Greece which brought down the elected Government of President Makarios. Since that time, the Government of Cyprus has been able to exercise full control over only about two-thirds of the country's territory. About one-third of Cyprus is governed by an autonomous administration that since 1975 has used the name "Turkish Federated State of Cyprus" and is supported by the presence of Turkish military units. The Turkish intervention of 1974 caused an uprooting of the larger Greek Cypriot population from areas now under Turkish Cypriot control, as well as the smaller Turkish Cypriot population in the Greek-controlled south. Both involved loss of homes and means of livelihood. The Greek Cypriots point to these displacements, as well as the unwillingness of the Turkish Cypriot authorities to allow resettlement of Greek Cypriots in the north, as the fundamental human rights question in Cyprus today. The Turkish Cypriots assert that the 1974 intervention was legal and prevented the island's annexation to Greece. The subsequent regrouping of the two communities in separate parts of the island, according to Turkish Cypriots, was necessary for their security and the eventual establishment of a federal structure.

The major human rights related problems in Cyprus are the absence of freedom of settlement, unresolved property ownership matters, and the difficulty of travel between both parts of the island -- issues whose resolution is a major aspect of the intercommunal talks being conducted under auspices of the United Nations. Solution of these issues will be a major aspect of any future settlement of the Cyprus problem.

During 1982, the human rights trend in Cyprus has seen little change from developments in previous years. Future human rights trends in Cyprus will be dependent upon the ability of both sides to negotiate their differences and to agree on a basis for intercommunal co-existence.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no reports of political killings in Cyprus since the violence that accompanied the events of 1974.

b. Disappearance

There are no post-1974 reports of persons being abducted, secretly arrested, or held in clandestine detention. However, as a result of the 1963-74 intercommunal troubles and the events of 1974, the issue of missing persons from those conflicts remains a source of dispute between the Greek and Turkish Cypriot communities. A Committee on Missing Persons was established under the auspices of the U.N. Secretary General in 1981 to deal with the problem, but its activities have been suspended since February 1982 because of procedural disagreements.

c. Torture

The Cyprus Constitution prohibits torture. There have been no reports that torture is permitted or practiced by the Cyprus Government, the Turkish Cypriot administration, or the Turkish forces in northern Cyprus.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Freedom from cruel, inhuman, or degrading treatment or punishment is guaranteed by law in both communities, and there have been no reports of violations of this guarantee during the past year. Adequate health care is provided in prison and detention facilities, and diet is considered normal. Family members may visit those in detention at any interval that is not deemed as impeding an investigation. Once sentenced, prisoners may be visited by family members once a month, or more frequently where humanitarian needs exist. Attorneys may visit prisoners freely. Differing classes of imprisonment do not exist.

e. Arbitrary Arrest and Imprisonment

Freedom from arbitrary arrest and imprisonment is guaranteed by law and respected in practice by both the Government of Cyprus and Turkish Cypriot authorities. The right of habeas corpus is observed. Preventive detention does not exist in law, nor has it been reported in practice. No individual may be held for more than three days for investigation of a crime without referral of the case to a court for extension of the period of detention. Most periods of investigative detention do not exceed eight or ten days before formal charges are filed.

f. Denial of Fair Public Trial

In both communities, fair public trial is guaranteed by law. As a former British colony, Cyprus has incorporated many features of the British judicial system. The judiciary is independent of executive or military control. Cases are generally tried before a judge or panel of judges, although a request for a jury trial is usually granted. There are no special courts to deal with security or political offenses. Civilians are not tried by military courts.

g. Invasion of the Home

Inviolability of the home is guaranteed by the Cyprus Constitution. The basic document governing the Turkish Cypriot community has a similar guarantee. A judicial warrant is required for an official to enter a private residence.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These rights are guaranteed by law and are widely and freely practiced. The press is free throughout the island, and includes the entire political spectrum from left to right. Opposition papers frequently criticize their own administrations. There is no press censorship, although journalists in both communities usually stay away from overt criticism of their respective "mother countries". Film censorship boards exist in both communities; on one occasion during the past year a film by a leftish Turkish director was banned in the Turkish Cypriot sector because it was deemed insulting to Turkey.

b. Freedom of Peaceful Assembly and Association

All groups have the right to organize and hold meetings. Labor unions are active in both the Greek and Turkish Cypriot communities. They have the right to strike, and they participate actively in the political process.

c. Freedom of Religion

While freedom of religion exists in Cyprus, the Greek-Orthodox Church in the south has the character of a state institution due to the historical role of the leader of the Church, the Ethnarch, as the spiritual leader of his people. The only remaining non-Muslims in the north are the members of the Christian Maronite minority, a small number of remaining Greek Cypriots, and foreign residents, all of whom can freely practice their religion. There is no discrimination against adherents of minority religions nor discrimination based on membership or lack of membership in a particular faith. Approximately two hundred Turkish Cypriot Muslims remain in the south and are allowed to practice their religion freely.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Turkish and Greek Cypriots generally enjoy freedom of movement within their respective areas. However, the Turkish military imposes restrictions on the rights of movement and settlement in areas adjoining military camps and near the United Nations-controlled cease-fire line.

Travel between the two sectors is severely restricted. Travel into the Turkish-controlled area is under the ultimate supervison of the Turkish military. Greeks and Greek Cypriots are barred from entry except for a small number of humanitarian cases. Turkish Cypriots, except for emergency medical cases and journalists on an approved assignment, are also restricted from visiting the south. Greek Cypriots still residing in the north (about 1000) and Maronites (about 500) are allowed to travel to the south after making an application, and there have been occasional allegations of arbitrary denial of these applications.

Turkish Cypriot authorities restrict the entry of foreigners into their sector coming from the south, insisting on overnight stays and 48-hour notice by visitors intending to travel outside of Nicosia. Foreign journalists arriving from the south are normally forbidden entry unless accompanied by an employee of the Turkish Cypriot public information office.

The Government of Cyprus also restricts freedom of movement by visitors to and from the north. Because the Government has declared the use of ports not under its control to be illegal, any foreigner arriving through a Turkish Cypriot-controlled port is denied entry to the south. Foreigners arriving from the south intending to transit through the north to Turkey are also denied entry. Citing a law that makes it illegal to use hotels taken over from their Greek Cypriot owners in 1974, the Government forbids tourists to stay overnight in the north.

The right to travel abroad and to emigrate is observed, although individuals facing military service or legal action in either community may not be allowed to travel. Turkish Cypriots also have difficulty in traveling to some countries because their travel documents, issued by the "Turkish Federated State of Cyprus", are not recognized by most countries. Citizens may repatriate freely, although both Greek and Turkish Cypriots returning from long stays abroad may be liable for military service if this obligation has not been previously met. A small number of refugees from Turkey and Eastern Europe sometimes come to Cyprus and are usually sent on to third countries as soon as arrangements for their resettlement can be made.

e. Freedom to Participate in the Political Process

Both the Government of Cyprus and the Turkish Cypriot administration have lively multiparty political systems. There is active and unrestricted competition for support by political parties. Greek Cypriots and Maronites living in the north do not participate in Turkish Cypriot elections, but elect their own village officials. Women are less active in politics than men in both north and south although this is due to custom rather than any legal impediment. No women in the north or south are members of Parliament. Nor are there any women of ministerial rank in the north or the south. One woman was previously a minister in the Republic of Cyprus Government, and two women currently serve as undersecretaries in the "Turkish Federated State of Cyprus".

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Cyprus participates in the work of the U.N. Commission on Human Rights. For several years the question of human rights in Cyprus has been on the Commission's agenda but, by agreement of the parties directly concerned, has been regularly postponed. However, the still unresolved question of missing persons has been raised by the Government, which alleges that some 2000 Greek Cypriots have remained unaccounted for after the events of 1974. Turkey and the Turkish Cypriots claim that these individuals are dead and that no prisoners are being held from 1974. Representatives of the United Nations' Working Group on Disappeared Persons visited Cyprus in the summer of 1982 and spoke with representatives of both sides on the matter. The issue is still unresolved and a committee on Missing Persons, established under UN auspices in 1981, has not met since February 1982, when it adjourned sine die due to procedural differences.

4. Economic, Social, and Cultural Situation

Per-capita GNP in the Government-controlled area of Cyprus was approximately $4,000 in 1981. The Greek Cypriot economy is free-enterprise oriented, with only a modicum of Government participation or regulation. The economy is based on manufacturing, trade, tourism, construction, and agriculture, with manufacturing contributing most to the GNP. The Turkish Cypriot economy is closely linked to that of Turkey and is a mixture of state-owned and private enterprises. It suffers from problems similar to those in Turkey, including high inflation, low investment, and significant underemployment.

Food, shelter, education, and health care are available to members of both communities regardless of race, religion, ethnic background, or political opinion. Both the Greek and Turkish Cypriot societies are essentially middle class, with a small but prominent wealthy segment. Housing is adequate, and is available for displaced persons. Most Greek and Turkish Cypriots are covered by a national health service scheme organized by their respective authorities. Illiteracy is virtually unknown among persons below the age of 55. Turkish Cypriot authorities in the past two years have been making efforts to eradicate remaining illiteracy in that community, mainly among the older population.

In the Greek and Turkish Cypriot communities, the legal status of women is identical to that of men. However, custom has retarded the full participation of women in all aspects of public life. Politics, for instance, has traditionally been a male preserve in both communities. Through changing attitudes and increasing contact with the outside world, however, women are experiencing increased mobility.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: CYPRUS

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	15.2	14.0	15.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	15.2	14.0	15.0
A.AID	15.0	14.0	15.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	15.0	14.0	15.0
(SEC.SUPP.ASSIST.)...	15.0	14.0	15.0
B.FOOD FOR PEACE.......	0.2	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.2	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.2	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.2	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS.........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	15.2	14.0	15.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	15.2	14.0	15.0
OTHER US LOANS..........	2.3	0.0	0.0
EX-IM BANK LOANS.......	2.3	0.0	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	17.0	14.4	26.7	199.5
IBRD	16.0	14.0	12.2	162.2
IFC	0.0	0.0	2.5	6.1
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	1.0	0.4	0.0	18.4
OTHER-UN	0.0	0.0	0.0	0.8
EEC	0.0	0.0	12.0	12.0

CZECHOSLOVAKIA

The Czechoslovak Socialist Republic is governed by an Orthodox communist regime, which determines the extent to which individual human rights are enjoyed in the country.

Czechoslovak citizens are in fact severely restricted in their practice of basic civil and political freedoms. Overt opposition to the laws and guidelines approved by the Communist Party in any field, including creative activity in the arts, is punished. The mere threat of punishment and the attendant denial of economic or educational opportunity -- along with a capricious application of such penalties -- are much more common methods of control than punishment by actual arrest and imprisonment. The Czechoslovak people do not actively participate in political and economic decision-making either within the party or the Government. Attempts to enlarge the area of popular debate on national policies in recent years have not been successful.

The most well-known human rights activist group is Charter 77, an unofficial movement of intellectuals, joined by some students and workers, which has been seeking to persuade the Czechoslovak Government to abide by its own laws and international commitments on human and civil rights. Another group, the Committee for the Defense of the Unjustly Persecuted, publicizes abuses of the judicial system. The Government has attempted to suppress "dissident" activity by both groups through a fluctuating mixture of policies ranging from coercive measures of arrest and harassment to forced emigration and exile.

The latest group of Charter 77 spokesmen, appointed in January 1982 (three new spokesmen are normally appointed every January), have been more active than their predecessors in issuing statements on a wide range of issues, including the situation in Poland, the peace movement, the domestic economic situation, and religious discrimination. For example, during the first half of 1982 more Charter 77 documents were issued than in the whole of 1981. In spite of increased activity, there has been little of significance to mark the efforts of Charter 77 and the Committee for the Defense of the Unjustly Persecuted to eliminate or moderate the pervasive injustices of the Czechoslovak governmental system.

Over the past year, overt governmental activity against human rights activists (excluding religious activists) appears to have decreased somewhat, perhaps because the authorities judge that these persons have become relatively quiet. It could also be that the authorities perceive a lessening of the threat of liberal contagion from Poland following the declaration of martial law there in December 1981. The system exerts enough control over its citizens through threats of retaliation and reprisal and the uncertainty of possible punishment so that only a brave few are willing to ally themselves publicly with opposition. Moreover, the regime wished to mute Western condemnation of its human rights policies during the year when the Madrid Conference on Security and Cooperation in Europe resumed its meetings and while preparations were under way for President Husak's November visit to Austria. The Husak visit had been earlier postponed because of the regime's actions against dissidents.

The outlook for improvement in the realm of human rights in Czechoslovakia appears poor.

1. Respect for the Integrity of the Person, Including Freedom From:

a. Killing

There is no indication that the Czechoslovak Government kills persons for political motives.

b. Disappearance

No instances of disappearance in Czechoslovakia have been reported.

c. Torture

The integrity of the person is guaranteed by the Constitution, which states, "inviolability of the person shall be guaranteed ... offenders can be punished only by due process of law." There is no indication that torture is used by the Czechoslovak Government.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Despite the provisions of the Constitution, there are reports that the police employ harsh methods, such as beatings, in interrogations of suspected criminals. These practices appear especially evident in political cases, including those of Charter 77 activists. Beatings have been reported in police stations as well as on the street, often committed by persons not in police uniform but under circumstances which led the victims to conclude that the actions had been performed by police officials or accomplices. There have been no reports that the perpetrators of these actions have been either arrested or tried. To discredit human right activists, the Government has compelled some of them to be examined and treated at psychiatric institutions. According to the West German magazine Stern, Czechoslovak prison conditions are substandard. In August 1982 Stern published a highly critical article, including photographs smuggled out of prison, focussing on the treatment of political prisoners in Czechoslovak jails. The article reported that prison cells were small and unheated, and that prisoners complained that they received administrative punishments, such as reductions in pay and limitations on free time, bathing, and exercise periods, for failing to meet unrealistically high work norms. The diet in Czechoslovak prisons is reliably reported to be so deficient that prisoners often require special medical treatment upon release. Amnesty International has also reported inadequate medical care in the cases of several political prisoners. In a letter to the Czechoslovak Federal Assembly, dated June 21, 1982, the Charter 77 spokesmen complained about the situation in Czechoslovak prisons.

There are three categories of imprisonment, with correspondingly harsher regimes of incarceration for more serious crimes and recidivists. Visits to prisoners by family members are limited, and the frequency with which visits are allowed varies according to the category of imprisonment. Political prisoners have reported that they are subjected to harsher treatment, not only by guards, but by fellow inmates. There are no reports that treatment accorded prisoners varies according to social class, race, sex, or religion. In practice, effective redress for cruel and degrading treatment does not appear to exist. There are no summary executions, however, and the death penalty is imposed only for particularly heinous crimes, after mandatory judicial review and consideration of executive clemency.

e. Arbitrary Arrest and Imprisonment

The number of political prisoners in Czechoslovakia is estimated at approximately 100. This figure is imprecise because the Government does not recognize persons who are imprisoned because of their political or religious beliefs as a special category of prisoner. Political defendants have been tried and convicted on the basis of sweeping charges, such as "damaging the interests of the Republic." In one case, political activist Ivan Jirous and three other defendants were sentenced to varying terms for drug possession. It appears, however, that the drug "possession" was arranged by security police, who wanted to see the defendants convicted on a more obviously criminal charge. It appears that Jirous, for whom this was a fourth conviction, is being incarcerated as a "third-class," or harshest-regime, prisoner. Detained persons can be held up to 48 hours without charges, although in practice this period is often exceeded. It is common for human rights activists, such as signers of Charter 77, to be picked up repeatedly and held for the statutory 48-hour period as a form of harassment. Under Czechoslovak law, a person can be held in jail for up to two months while being interrogated, and this two-month limit on pre-trial detention can be extended by the prosecutor at will. There have been cases, such as those of seven human rights activists held varyingly from May 1981 to the March/May period of 1982, which did not go to trial, but in which neither charges were dropped nor the cases closed. Under Czechoslovak law, which is patterned on the Napoleonic code, the right of habeas corpus does not exist.

f. Denial of Fair Public Trial

Czechoslovak law requires that all trials be public and that the accused be given the right to counsel, be informed of the charges, and be given an opportunity to present a defense. In practice, however, there are significant restrictions on these legal guarantees for those charged with political crimes. Public access to trials of persons charged with political offenses is denied; only selected supporters of the regime and a limited number of relatives are admitted to the courtroom. Efforts by diplomatic representatives and other interested persons to attend such trials have been unsuccessful. Although counsel may visit the accused, both before and after the trial, a police officer is often present to monitor the meetings. Lawyers are known to have been disbarred after too vigorous a defense of human rights activists. Defendants may exercise the right to defend themselves in court and are occasionally successful in having charges dismissed or downgraded at the original trial or on appeal. For example, in March 1982, Drahomira Sinoglova received a Presidental amnesty. This was the first time that such an amnesty had been granted to a human rights activist in Czechoslovakia.

The courts have only limited independence and are effectively under the regime's control. Judges can be removed by either the Federal Assembly or the National Councils of the Czech or Slovak Republics. Civilians are tried by military courts only in special circumstances, including cases of espionage. All verdicts and sentences can be appealed to at least one higher court by either the defendant or the prosecutor, or both.

g. Invasion of the Home

The Constitution guarantees the inviolability of the home. A search warrant is required from the prosecutor unless there is insufficient time to obtain one. There are widespread reports of house searches without warrants, however. Evidence obtained in such unauthorized searches is, in practice, routinely admissible in court. The homes of human rights activists are often closely watched by the police in order to curtail access by Western newsmen or others. There appears to be widespread use of wiretapping and "bugging", particularly of the residences and telephones of persons who are politically suspect.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech and press are guaranteed in the Constitution, provided that the exercise of these freedoms is "consistent with the interests of the working people." In practice, however, these freedoms are not respected. Czechoslovak citizens may not publicly express views contrary to the "principles of a socialist state" or sharply criticize the Czechoslovak Communist Party or their Government in an open fashion. It is impossible to determine the extent of the use of police informers, electronic surveillance, and violations of the mail, means by which freedom of speech is curtailed in Czechoslovakia. The population assumes that these measures are employed constantly and pervasively and tailors its behavior accordingly.

The mass media are completely controlled by the state and operate under the direct supervision of the party. Consequently, few people look to Czechoslovak mass media as a source of reliable information, except for sports or weather news. Many prominent journalists, writers, and other intellectuals who supported liberalization in 1968 are no longer allowed to practice their profession or have gone into either voluntary or involuntary exile. Only a few Western periodicals are allowed into the country, and these are unobtainable by the man in the street. Printing and reproduction devices, other than typewriters, are controlled by the Interior Ministry, and it is illegal for citizens to possess one. Reproduction of authorized printed material is limited to eleven typewritten copies, and reproduction of "subversive" materials is a criminal offense.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly is guaranteed by the Constitution in order for citizens "to take an active part in the administration of the state and in the economic and cultural development of the country." In practice, freedom of assembly and association is severely limited. No public meeting can be held without the permission of the police. All professional groups and all labor union organizations are completely controlled by the state, and no independent groups are allowed to exist. Professional and union groups exist to further the directives and philosophy of the Communist Party. Such groups are merely organs of the state and party. Persecution of individuals can occur through expulsion from a professional organization, which is tantamount to withdrawal of permission to practice the profession.

The trade union movement is organized "under the guidance" of the Communist Party, as provided for in the Constitution. Worker membership is virtually obligatory. Strikes, collective bargaining, and lobbying are not permitted. Workers are expected to carry out directives to fulfill the centrally promulgated economic plan and have little influence over production policy. In some cases, however, workers have been able to bring about changes in their working conditions. The right and duty to work are guaranteed in the Constitution. In practice, persons who hold political views at variance with those of the regime have found it difficult to retain the positions for which they were trained and have been forced into menial jobs, such as window-washers, stokers, and street cleaners. The International Labor Organization has faulted the Czechoslovak Government for this unjust practice. The threat of economic deprivation is also used as an effective method of political control.

c. Freedom of Religion

Freedom of religious belief and freedom to practice religion are guaranteed in the Constitution. In practice, however, the state rigorously regulates and limits religious activity and employs anti-religious propaganda. Clergy are paid by the state and require a state license to be assigned to a parish or congregation where they may work. Their activities and public statements, including sermons and homilies, are closely monitored by government authorities. The state must authorize the printing and distribution of religious literature. At least three Czechoslovaks were arrested in 1982 for alleged conspiracy in the distribution of Bibles. Conviction for this offense could result in up to five years' imprisonment.

Religious education, proselytizing, and education of new clergy are carefully limited, and only those religious groups recognized by the state are permitted to operate. Male religious orders are not permitted in Czechoslovakia and members of female orders (which are not allowed to accept new members) are restricted to nursing and the care of the elderly in outlying areas. The Jehovah's Witnesses and Mormons are explicitly outlawed.

Overt religious activity usually results in effective disqualification for advancement in most fields. The limits on such activity may be slightly looser in Slovakia, a more openly Catholic area, than in the Czech lands. However, young Catholics in the Bratislava area appear to have become the target of a government drive to stop the spread of evangelism. In August 1982, approximately 150 young Catholics were reported to have been interrogated for 8-11 hours each, and some were detained, without being charged, for the entire allowable 48 hours.

Nominally, about 11 million Czechoslovaks are Catholics and just over one million are Protestants. Very few persons, however, regularly attend church services.

Various priests and senior Catholic clergy have been co-opted into a pro-government organization of Catholics, known as "Pacem in Terris". It appears that affiliation of Czecholovak priests with this organization falls under the proscription of the Vatican decree of March 8, 1982, circumscribing political activity by priests. However, the regime has evidenced a vehement determination to oppose implementation of this decree in Czechoslovakia. The state religious authorities have published a number of articles criticizing the position of the church on this matter in an effort to maintain the Pacem in Terris organization in being as a politically useful instrument. All Protestant churches (except the Seventh Day Adventists) are institutional members of the Czechoslovak branch of the Christian Peace Conference, also an organization which adheres in to the official "peace" policies of the Czechoslovak regime. Claiming exemption from military service on the basis of conscientious objection can lead to jail penalties of several years, as can individual organization of peace activities.

The Jewish Community, numbering several thousand, has a central religious organization financially supported and controlled by the government. There are synagogues and prayer houses. In addition, there is a Jewish Museum, operated by the state. There are no Jewish schools or rabbinical seminaries, but one Czech Jew is attending a rabbinical seminary abroad.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Although freedom of movement within Czechosolvakia is not restricted, travel in some areas near the borders or in the vicinity of military installations is proscribed. Travel by Czechs and Slovaks to other East European communist countries is coming under increasing restrictions. Travel to Poland was severely curtailed immediately after martial law was declared, but this has been relaxed a bit recently to allow those who have personal invitations to travel to Poland. These restrictions were likely introduced to try to control insofar as possible any spread to Czechoslovakia of the contagion which saw workers in Poland defying their government. Through requirements to change a fairly large amount of currency, and also possibly through a limit on the number of trips per year, cross-border shopping trips to Hungary have effectively been stopped. A special passport has been introduced, valid only for trips to Yugoslavia, in an attempt to limit the growing practice of Czechoslovak citizens traveling permanently to the West via Yugoslavia. Travel to Western countries is difficult since travelers must obtain permission and, unless visiting close relatives, a hard currency allocation. Travelers to the West usually must leave some member of the immediate family at home to ensure the travelers' return. These restrictions are relaxed, however, for retirees.

Obtaining permission to emigrate is a long and arduous process, especially for persons in political opposition to the Government. Applicants must endure long waits and may suffer such reprisals as demotion or loss of job after applying. There are no special barriers, however, to a person's emigrating to join his or her foreign spouse. Czechoslovakia denies the right of repatriation by divesting of their citizenship certain emigres whom it does not wish to see return. Such harsh measures are generally used only in political cases involving prominent human rights activists. Emigration passports are not valid for return to Czechoslovakia without special endorsement. Voluntary expatriation is frequently a condition for permission to emigrate, particularly in cases where the emigrant does not have close relatives abroad. Not uncommonly, prominent human rights activists are offered release from prison solely on condition that they agree to emigrate and renounce their citizenship.

The only significant refugee group within the country is comprised of communists who have fled from non-communist countries. The largest such group are Greek communists, but others, including Spaniards, Indonesians, and Americans, are also known to reside in Czechoslovakia. There are no known instances of forced repatriations of members of these groups to their countries of origin. There is a significant outflow of refugees from Czechoslovakia, however, comprised primarily of persons who leave the country legally on vacation to non-Warsaw Pact European countries and choose not to return. The number of such refugees may be as high as ten to fifteen thousand annually, but precise figures are unavailable.

e. Freedom to Participate in the Political Process

All significant decisions regarding the Government, the economy, and society are made exclusively by the leadership of the Communist Party. Meaningful participation in the political process is enjoyed only by members of the party, and, within the party, only by a very limited number of top officials. Ordinary citizens, especially those who are not party members, have no role in the process of selecting their leaders or in making important political or economic decisions. Four minor political parties are permitted to organize and to publish their own newspapers, but they must conform their activities to the line of the ruling Communist Party.

There is little evidence of meaningful public discussion of social, political, or economic issues. In general, the people are informed, not consulted, about decisions of the party and the Government. It is exceedingly rare for differences of opinion, let alone dissenting votes, in the federal assembly or in the party central committee to receive any publicity. Where such differences become known, it is almost always the result of a painstaking process of reading between the lines of newspaper or other reports of meetings rather than through a public airing.

Women are equal under the law, and small, token numbers of women in fact appear in the professions and higher-ranking party, government, and management positions. Perhaps as a reflection of generally poor representation of women in positions of authority in Czechoslovak society, women seem to be strongly represented in "dissident" circles. There is usually one woman among the three Charter 77 spokesmen, for example.

About 600,000 Hungarians live in Czechoslovakia, primarily in Slovakia along the border with Hungary. Primary education in Hungarian is provided for children in these areas, as well as Hungarian language radio and television programs, newspapers, and magazines for the adult populace. Hungarians are proportionately represented in federal and local legislative bodies, but are under-represented in prestigious jobs in the economy and the state apparatus. The only other sizable minority group in Czechoslovakia are Gypsies, who number about 250,000 persons and are generally viewed by Czechs and Slovaks as occupying a lower social stratum.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights.

Czechoslovakia signed the Final Act of the Conference on Security and Cooperation in Europe at Helsinki in 1975. Nonetheless, the Czechoslovak Government has since reacted strongly to expressions of concern about human rights violations in Czechoslovakia by governmental and non-governmental institutions in other countries. In the past it has delayed or refused visas to members of international human rights organizations.

There are two unofficial groups within Czechoslovakia that concern themselves with human rights. One is Charter 77; the other the Committee for the Defense of the Unjustly Persecuted. Charter 77 has issued several studies on topics such as the standard of living, the plight of pensioners, and the right to travel abroad, and has issued two statements concerning martial law in Poland. The Committee for the Defense of the Unjustly Persecuted concentrates on abuses of the judicial system and relies on public records and reports from friends and relatives of accused persons in issuing communiques on cases where it believes the police, the courts, or the prisons have abused citizens' civil or human rights. These communiques are regularly distributed to Czechoslovak authorities.

As a result of their activities, members of both these groups have suffered considerable persection, including loss of jobs, detentions, loss of educational opportunities for their children, imprisonment, and minor harassment, such as suspension of driving licenses and police surveillance. Because of this treatment, a significant number of members of both groups have emigrated from Czechoslovakia. Thus, while they continue to provide a moral witness to the illegalities of the regime, their effectiveness is strictly limited by harassment, imprisonment of their members, and emigration. A letter from the Charter 77 spokesmen to the Czechoslovak President on May 3, 1982 documents charges of blackmail and intimidation of relatives and friends of Charter 77 activists.

4. Economic, Social, and Cultural Situation

Czechoslovakia has an advanced, centrally-planned economy and a sophisticated and well-educated populace which has long been in contact with the main currents of Western European thought and tradition. The two main ethnic groups -- the Czechs and the Slovaks, however, have had different historical experiences and development. The accommodation of the interests and aspirations of both ethnic groups within a single country has not always been a smooth process. Slovak resentment of the longstanding domination of the central Government by the more numerous Czechs led to the adoption in 1968 of the present federal system, in which some functions are delegated to separate Czech and Slovak Governments, and in which Slovaks are more heavily represented than previously in federal institutions. Gustav Husak, the current party leader, is a Slovak.

Although both the Czechs and the Slovaks were long under the domination of outsiders, they had a remarkably successful experience with democracy under Tomas Masaryk from the founding of the modern Czechoslovak state in 1918 until the Nazi takeover in 1938. Since the imposition of communist rule in 1948, the people of Czechoslovakia have been subjected to a tightly authoritarian system of government under the control of the Czechoslovak Communist Party. For a brief period in 1968 -- known as the "Prague Spring" -- the party under Dubcek flirted briefly with liberalization to bring "socialism with a human face" to Czechoslovakia. This historic period demonstrated that the desire for participatory democracy still strongly existed among the people and even within the Communist Party. The experiment ended in August 1968 with the invasion of Czechoslovakia by the Soviet Union and four other members of the Warsaw Pact. An estimated 80,000 Soviet troops were stationed permanently in the country from that time on. Soviet influence over Czechoslovak internal (and foreign) policies continues.

The basic needs of the Czechoslovak people for adequate food and health care are met, and the stable, largely urbanized population enjoys a reasonably confortable material existence. Health care is universally available and is administered and financed by the Government, although there are reports that prompt treatment is sometimes secured only through bribes. Average life expectancy at birth is 71.2 years (1980 figures) and the infant mortality rate is 16.6 per 1000 live births (1981 figures). There are occasional deficiencies of supplies and services, but these are attributable more to economic constraints or management deficiencies than to deliberate neglect. The average diet is more than adequate, with 139 percent of calorie supply available for consumption as a percentage of the normal nutritional requirement (1977). Past consumption of meat has been at a level of approximately 85 kilos per capita annually. This level was to have been reduced to 80 kilos per capita in 1982, however, in a move linked to the limitation of hard currency feed grain imports. The Czechoslovak diet is relatively heavy in fats and carbohydrates, which is primarily a reflection of the preferences of the populace.

Education is compulsory to 15 years of age. Literacy is nearly universal. The adjusted primary school enrollment ratio (1979 figures) is 92 percent for the total population. Secondary and university education are free of charge, but there are many reports that the selection of students for courses and schools, in particular those leading to more desirable careers, is based on their parents' political standing and reliability. Charter 77 documented instances of this pratice in a June 1, 1982 document on the education of children. Access to higher education thus serves as an instrument of control over a large segment of the population. Opportunities also exist for evening study at the advanced secondary and technical level.

Czechoslovakia has had a rising standard of living since the end of World War II, but recent figures show a tapering off. GNP per capita is $5,290 (1979 figures). Czechoslovak society was relatively egalitarian during the years of the Republic (1918-1938). The result of more than 30 years of communist rule has been a comprehensive leveling of the economic life of the population, with neither great wealth nor great poverty remaining. There is also a pension system which provides a minimum income. In addition, some retirees are allowed to supplement their pension payments by working. Nonetheless, access to goods and services varies significantly, with elites among Communist Party members, artists, and athletes having living standards far above the norm.

About 90 percent of Czechoslovak women of working age are employed. Most have lower paying and less skilled jobs than their male counterparts, but equal pay for equal work is practiced in almost all cases. There are inconsistencies in the responsibilities many women are asked to assume, however. They are encouraged to join the work force but at the same time are offered incentives to have children. These incentives have been relatively ineffective, as shown by a population growth rate of only 0.7 percent (1980), perhaps because women generally are expected to do all the housework and child care in addition to their full-time employment outside the home.

DENMARK

Denmark is a constitutional monarchy with a single chamber parliament called the Folketing. The 179 members of the Folketing represent nine political parties covering a wide spectrum of political philosphies.

Folketing members are selected in free elections on the basis of universal suffrage of Danish citizens 18 years of age or older. The Constitution provides for the use of referenda. The Office of the Ombudsman, which is charged with preventing arbitrary and unreasonable dispositions or acts, provides further protection of minority and individual rights.

Changes in Government are effected by new elections or, as occurred in September 1982, by the resignation of the Government in power and the formation of a new Government composed of members already in Parliament. The current Government is a minority coalition composed of four parties under the leadership of the Conservatives.

Denmark is a highly developed industrial society with a social welfare system designed to insure a high standard of living for all Danish citizens on an equitable basis.

The Danish Constitution guarantees the integrity of the person and states that personal liberty shall be inviolable. Denmark also has shown its concern for the protection of human rights in other countries. Denmark has taken a leading role in international organizations in support of human rights throughout the world.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Politically motivated killings have not occurred in the recent past in Denmark.

b. Disappearance

Abductions, secret arrests, or clandestine detentions do not occur in Denmark.

c. Torture

Protection against offenses committed by any person or the state against the integrity of another person is contained in the criminal code. There have been no allegations of torture in Denmark.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Protection against cruel, inhuman, or degrading punishment is guaranteed by law and respected in practice. Provisions of the criminal code prohibit cruel and unusual punishment and establish penalties against those who cause bodily harm. These provisions also cover offenses against persons in the form of medical and scientific experiments. Capital punishment, corporal punishment, and imprisonment with hard labor have been abolished.

e. Arbitrary Arrest and Imprisonment

No Danish subject can be deprived of his personal liberty without due process of law. Persons taken into custody must be taken before a judge within 24 hours of their arrest. The judge has the authority to authorize detention or to decide whether the individual can be released on bail. If the person cannot be immediately released, the judge must decide within three days whether the individual should be committed to prison or is eligible for release on bail. The judge also has authority to determine the amount and the nature of bail. These judgments are subject to appeal procedures. The Constitution states that persons may not be held in pre-trial confinement for offenses which would normally be resolved by payment of fines or by mitigated imprisonment (sentences of seven days up to six months) until sentence is imposed.

f. Denial of Fair Public Trial

Trials are open and public. The principle of public hearings may be limited to protect the parties and witnesses. Persons without means to hire legal assistance are guaranteed legal aid, and persons unfamiliar with the Danish language are provided with interpreter service. Greater emphasis is placed on obtaining the facts of a case than permitting legal technicalities to obscure the proceedings.

g. Invasion of the Home

The Constitution provides for the protection of the home. Seizure and examination of letters or violation of the secrecy of postal, telegraph, and telephone communications, except under judicial order, is also prohibited. These legal provisions are respected in practice.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Constitution states that any person may express his views in written or oral form, subject to his being held responsible in a court of law. Censorship and other preventive measures may not be introduced. Media representatives and private citizens make full use of these freedoms to express their opinions on any subject, including criticism of the Government and Government policies.

b. Freedom of Peaceful Assembly and Association

Danish citizens are free to assemble and to form associations for any lawful purpose. Police are entitled to be present at public meetings and to prohibit meetings or demonstrations which the Government believes might become disorderly or constitute a danger to the public peace. Freedom of association is particularly evident in the field of labor relations. Approximately 85 percent of Danish wage earners are organized into about 1800 trade unions. The most important employees' organization is the Federation of Trade Unions with a total membership of 1.3 million. The Confederation of Danish Employers has 22,000 members. Under the General Agreement of 1960, workers and employers acknowledged each other's right to organize, and the desirability of collective agreements was affirmed. Labor agreements and legislation protect the rights of workers and employers. Joint industrial committees provide for employees' participation in consultations regarding introduction of new technology. A special technology agreement states that employers must coordinate the introduction of new technology and, if the introduction results in loss of jobs, management must make provision for the workers, such as transfer to new duties or subsidizing retraining. The work environment is regulated by law to protect the workers.

In June 1982, the Danish Government formulated and adopted new legislation to avoid conflict between human rights and union "closed shop" agreements. This action was taken as a result of decisions reached in the European Human Rights Commission involving United Kingdom citizens. This rapid adjustment of law reflects not only official concern for Danish workers, but also Denmark's continuing effort to abide by international standards for protecting human rights.

c. Freedom of Religion

The Evangelical Lutheran Church is the established church of Denmark. However, religious freedom is guaranteed by the Constitution. Persons may choose any religion they wish, so long as the organization does not teach actions which the Government views as against the public interest or well-being. These constitutional provisions are honored in practice.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

There is complete freedom of movement, emigration, and foreign travel. Denmark's normal quota for admission of refugees is 500 per year, with an additional allowance for refugees rescued at sea and persons seeking asylum status. Refugee assistance is coordinated through the Danish Refugee Council composed of 12 public and private organizations. Among the groups represented on the Council are Amnesty International, Caritas, the Danish National Council of Women, and the Danish Jewish community. Refugee selection principles are agreed upon by a committee of representatives of the Ministries of Foreign Affairs, of Justice, and of Social Affairs, plus the Danish Refugee Council. Welfare assistance is based on the principles of Danish social law, as applied to Danish citizens, adapted to the individual needs of refugees. Welfare aid is designed to make refugees self-reliant in the community. The program includes counseling, financial aid, Danish language training, and assistance with housing, employment, and social contacts. Requests for asylum are handled by the Ministry of Justice and are channeled through the alien police. If the alien police report is negative, there is an informal hearing, in which the Danish Refugee Council participates, before the Ministry makes a final decision.

e. Freedom to Participate in the Political Process

Political life is carried out in a highly democratic fashion. Thirteen political parties, reflecting the full spectrum of political thought, participated in the 1981 general elections. There is respect for civil and political liberties, both on a theoretical level and in practice. Danish law guarantees trade unions the right to organize, strike, bargain collectively, and lobby. The labor movement, a powerful social and political force, fully protects the rights of both sexes, a policy supported by advanced and comprehensive public welfare legislation. The Danish Equal Status Council, which has a mandate to ensure equal status of men and women in society, has been instrumental in promoting the status of women and in obtaining the adoption of laws which remove sex discrimation provisions. Danish women hold high and influential positions in virtually every area of society; they are cabinet ministers, parliamentarians, judges, and journalists, and are integrated into the government bureaucracy at all levels.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Denmark has, conceptually and in practice, been a leader in the field of human rights. It has supported human rights in international fora and has been in the vanguard of those furthering the rights of women, the disadvantaged, and the poor. Denmark is active in the UN Commission on Human Rights. Freedom House ranks Denmark among the world's "most free" countries.

4. Economic, Social, and Cultural Situation

Denmark enjoys one of the highest standards of living in the world. Its per capita GNP is approximately $12,954. At birth, Danes may expect to live to be 75. The infant mortality rate is 8.8 per 1000 live births, and the fertility rate is 1.8. The population of 5,125,000 (1981) grows at the average rate of 0.4 percent annually. All school-age children have access to free public education, and the nation is 99 percent literate. The Danish diet is well in excess of nutritional requirements.

Over 50 percent of the national budget is devoted to welfare, housing, labor, and education. Social benefits are available to all on an equal basis without regard to race, creed, or ethnic origin. However, unemployment among young women is roughly twice that of young men. Economic problems have brought about a review of the welfare provisions in Denmark.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: DENMARK

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
OTHER US LOANS..........	39.8	0.0	0.0
EX-IM BANK LOANS.......	39.8	0.0	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	85.2
IBRD	0.0	0.0	0.0	85.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	0.0
OTHER-UN	0.0	0.0	0.0	0.2
EEC	0.0	0.0	0.0	0.0

FINLAND

Finland is a republic with close historical and cultural ties to Sweden, Norway, Denmark, and Iceland. It is one of Western Europe's larger countries, covering 337,000 square kilometers -- one third lying north of the Arctic Circle. In population, it is one of Europe's smallest and least dense, with 4.8 million inhabitants or 16 persons per square kilometer. Finland was part of the Kingdom of Sweden between 1155 and 1809, and from 1809 to 1917 it was an autonomous grand duchy of Russia. Finland declared its independence in 1917 and was recognized by the U.S. in 1919.

The Finnish people elect a 200-member unicameral Parliament every four years. Executive power is exercised jointly by a President elected to six year terms and by a ministerial cabinet responsible to the Parliament. The cabinet must enjoy the confidence of a majority of Parliament, and for "special legislation" a qualified (two-thirds) majority is necessary. At present, there are eight political parties represented in the Parliament and ten parties on local municipal councils. Finland has a mixed economy, with state-owned, publicly-owned and privately-owned companies. Finland has some 60,000 privately-owned companies employing roughly 1.2 million persons. Companies owned by state and local authorities account for about a quarter of the country's industrial production.

During the past year, Finland elected its first President in history from the Social Democratic Party. The new President, who was acting President during the last three months of 1981, received 43 percent of the popular vote and was elected on the first ballot in the Finnish Electoral College.

Finland's respect for human rights is reflected in its Constitution, its laws, and in the customs and practices of its institutions. Concern for the integrity of the person is protected both in theory and in practice by two co-equal public investigatory institutions: the chancellor of justice (i.e., a public prosecutor) and the parliamentary ombudsman. These two officials head legal staffs charged with investigation of complaints from private citizens concerning official misconduct.

Finland has been in the forefront in providing protection to women and minorities. The Swedish-speaking minority enjoys protection of language and cultural heritage and participates fully in the economic life of the country. Finland was the second country in the world to give women the vote (1906). Freedom of religion is guaranteed constitutionally and respected in practice. Finland shares with its Nordic neighbors a comprehensive social welfare system which includes free education and medical care.

Finland is an ethnically homogenous nation with no immigrant population of any consequence. Few tensions exist between the Finnish-speaking majority and the language minorities of Swedish speakers, Lapps, Jews, and Gypsies. The trend in the development of human rights in Finland appears to be in the direction of somewhat greater attention to the "economic rights" of individuals both at home and in international affairs.

The country has developed a modern industrial economy with a strong and democratic labor movement.

Finland is a supporter of international human rights objectives. It is a party to most of the existing international agreements on the subject and has made special efforts to implement and incorporate the provisions of these agreements into its laws.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Killing for political motives by Government or opposition political organizations does not occur in Finland. There have been no allegations of such conduct in Finland since World War II.

b. Disappearance

There are no reported cases of disappearances occurring in Finland as a result of action by the Government or by elements of opposition political groups. There are no cases of abduction or clandestine detention by official, quasi-official, or opposition forces.

c. Torture

There have been no reported cases in Finland of torture. Freedom from torture is guaranteed by law and respected in practice. The most relevant laws protecting the individual from torture are contained in the Police Acts.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Freedom from cruel, inhuman, or degrading treatment or punishment is guaranteed by law and respected in practice. By law, prisoners must be treated justly, with respect for their human dignity and without distinction made on the basis of race, color, sex, language, nationality, religious or political conviction, social position, or wealth.

e. Arbitrary Arrest and Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice. The circumstances of an arrest are examined initially when an accused is brought to trial, and should the arrest be shown to have been false or should the accused be acquitted, the accused is entitled to collect civil damages from the same court. At present, there is no pre-trial examination of an arrest. Within ten days of detention, an accused must be brought before a judge for formal charging. In exceptional cases, a suspect may be detained up to 17 days without being charged. However, prison and police authorities function under the supervision of the Ministry of Justice and Ministry of Interior, either of which may order the release of a prisoner detained without charges. In addition, the Parliamentary ombudsman makes regular inspection tours of all prisons and reports to the Parliament on his observations. He has the authority to take immediate action, if he believes it necessary. Preventive detention is authorized only during a declared state of war for narrowly defined offenses such as treason, mutiny, and trafficking in weapons. Procedural safeguards are mandated.

f. Denial of Fair Public Trial

The right to a fair trial is guaranteed by law and respected in practice. Finnish citizens and aliens have the right to effective counsel. Charges must be clearly stated and the state will pay for counsel of one's choice in cases of indigence. Finnish law provides that court trials and judgments are public and open to the casual observer. Courts may decide that a trial will be held behind closed doors in juvenile, matrimonial, and guardianship cases, as well as when publicity would offend morality or endanger the national security. Security cases differ from other cases in that judgment also may be restricted and sanctions imposed if it is made public. In an ongoing treason trial in Finland, one which is being heard before a civilian court and involves a newspaperman and an army lieutenant, only the fact of the trial has been made public, even though both defendents are free on personal bond. The judiciary is independent of the executive and the legislature. It may hear appeals of any government decision made by both civilian and military authorities except that, under a law currently being reviewed in Parliament, in the event of a police-ordered expulsion of an alien, the Ministry of Interior's decision is final and may not be appealed. Civilians may not be tried by military courts except in time of war. There are no separate "security" courts in Finland. Provisional tribunals are expressly prohibited.

g. Invasion of the Home

The sanctity of the home, including prohibition of eavesdropping and mail tampering, is guaranteed by the Finnish Constitution and is respected in practice. Search warrants may be issued only by judicial authorities empowered to issue warrants of arrest for crimes punishable by imprisonment of more than six months. The Ministry of Interior or the Chancellor of Justice may also authorize a search, subject to subsequent judicial scrutiny and possible civil and criminal penalties for abuse of this power (including compensation to the victims). No search warrants are necessary for traffic offenses, and police routinely test motorists for alcohol use. The security police are legally subject to the above restrictions and respect them in practice.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Civilian and political liberties are guaranteed by law and respected in practice. There is no censorship, and prior restraint is expressly prohibited in Finland. The right of a citizen to own and operate a printing press is constitutionally protected. The Finnish Government owns all broadcast media and leases some TV time to a commercial TV service, which produces its own news and features programming. Although Finnish media are traditionally said to exercise a certain restraint in directly criticizing "friendly countries", there are no sanctions, harassment, or intimidation. In recent history, a bombing attack on the communist newspaper "Tiedonantaja" by an ultra-right-wing group in 1976 was investigated by the police and the perpetrators arrested, tried, and sentenced. There has been no such incident since that time.

b. Freedom of Peaceful Assembly and Association

Freedom of association is guaranteed by the Finnish Constitution (any group may hold a meeting without a permit upon six hours' notice to local authorities). If the purpose of the association is to influence political issues, only Finnish citizens may belong. Under the terms of the Peace Treaty of 1947, Nazi-like political groups are proscribed. Trade union organization and activity are protected constitutionally. In 1970, public employees were also given the right to join unions and to strike. Non-Nordic aliens may not join trade unions unless they obtain permission from the Government. Trade unions are significant within the Finnish economy and are organized at the national level with locals in each enterprise. Comprehensive incomes policy agreements have been negotiated since 1968 and have established wage, vacation, tax, and social policy. All unions are independent of the Government, but industrial labor unions traditionally maintain ties with the Social Democratic and Communist parties. The Finnish Government encourages voluntary organizations and subsidizes many private groups formed to achieve a public purpose. There are no restrictions on these organizations, and they are permitted to maintain relations with other international groups in both socialist and Western countries.

c. Freedom of Religion

Finland has two state religions: Evangelical Lutheran and Orthodox. Voluntary taxes are collected by the Government from members to support these churches. In addition, Finland has other Protestant and Catholic denominations, as well as small Moslem and Jewish populations. There are no restrictions on the exercise of religious freedom in Finland. Over 93 percent of the population are members of the Lutheran Church.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

These freedoms are guaranteed by law and respected in practice. Finns have the right to voluntary repatriation, which is protected by the Constitution. There is no restriction on emigration, except that minor children must have a parent's consent to leave the country.

e. Freedom to Participate in the Political Process

Finland is a multi-party democracy in which political power is divided between the Parliament and the President. In Finland, women and minorities participate fully in the political process. There are 49 women members of Parliament and three women in the Finnish cabinet. Opposition parties function freely, and in parliamentary and municipal elections almost all seats are hotly contested.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Finland participates actively in international human rights organizations and has not been the subject of an international investigation of alleged human rights violations. Within Finland, several organizations monitor human rights performance, including the Finnish Red Cross, the government-sponsored Equality Council, the Women Rights Union, a branch office of Amnesty International, the United Nations

League, and the League for Human Rights and Freedoms. These organizations tend to focus on alleged human rights violations in countries other than Finland.

4. Economic, Social, and Cultural Situation

Finland has a modern industrial economy with privately-owned, cooperative, and state-owned enterprises operating within a market economy system. The Government follows an economic policy aimed at maximizing economic stability and equalizing distribution of income along broad lines among individuals residing in urban and rural sectors.

With about 0.1 percent of the world's population, Finland produces 0.3 percent of the world's output and has 0.8 percent of the world's trade. Exports amount to one quarter of Finland's $4 billion gross national product. Finland has a comprehensive social welfare system available to all citizens without regard to race, religion, sex, ethnic background, or political affiliation. Services provided by the state include free medical care, assistance with purchase and rental of housing, unemployment benefits, child care assistance, family allowances, insurance, and care for the old and infirm. Finland enjoys a virtual 100 percent literacy rate. Finland's Constitution guarantees to all citizens the right to own property and be fully compensated for property taken for public use. Finland also guarantees to all its citizens the right to just remuneration and a safe workplace. By law, all persons in Finland are paid equal salaries for equal work. Finland enjoys a high standard of living with an estimated per capita income for 1982 of $10,200. Employment, inflation, and declining competitiveness of Finnish exports were problems in 1982. A reduction of the rate at which prices were rising did occur throughout 1982, which made the rate of inflation before devaluation around 7 percent.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: FINLAND

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS.......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER.............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	305.9
IBRD	0.0	0.0	0.0	302.2
IFC	0.0	0.0	0.0	3.1
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	0.4
OTHER-UN	0.0	0.0	0.0	0.2
EEC	0.0	0.0	0.0	0.0

FRANCE

France is a constitutional democracy with freely-functioning political parties and regular elections. Its leaders are popularly elected, with every adult citizen of both sexes having the unimpeded right to the vote. The presidential and legislative elections of 1981, which resulted in a major change of political power, reconfirmed the fundamental commitment of France to a democratic system. During 1982, canton-level elections were held, and political parties began preparing for nation-wide municipal elections in March 1983.

The economy is highly developed, and contains a mixture of public and private enterprise. Since the Mitterrand Government took office, a number of private companies and most of the remaining private banks were nationalized. However, there is still a large private sector.

The current Government remains committed to the maintenance of full respect for human rights, and there is strong support for this policy among the society at large.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

The Government does not condone political killing. In 1982 acts of terrorism increased significantly, most of them apparently carried out by non-French groups with ties to Middle East and Armenian terrorist organizations. An unknown "Lebanese Armed Revolutionary Front" claimed responsibility for the murder of a US Army Officer assigned to the American Embassy, as well as for the assassination of an Israeli diplomat. One other Embassy officer was also a target of an assassination attempt during 1982, and there were a number of threats to US personnel and facilities. Some international terrorist incidents appeared to have anti-Semitic overtones. In August gunmen attacked a popular restaurant in Paris' Jewish quarter, killing six, including two American tourists, and wounding 22 others. The French Government condemned the terrorist attacks and adopted a series of counter-terrorist measures. One indigenous anarchist group, "Direct Action", with ill-defined motives, has also engaged in terrorist activity, as have Corsican nationalist extremists.

b. Disappearance

There has been no evidence that security forces have engaged in abduction or secret arrest.

c. Torture

Freedom from torture is guaranteed by law and respected in practice. There have been no credible allegations of the use of torture.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Freedom from cruel, inhuman or degrading treatment or punishment is guaranteed by law. No reports have been received of ill treatment of prisoners. Prison facilities are adequate, and generally are well maintained. Reimbursed work programs are widely available to inmates, the parole system is liberal, and the possibility exists of periodic release for family visits.

e. Arbitrary Arrest and Imprisonment

Freedom from arbitrary arrest and imprisonment is guaranteed by French law. There have been no allegations of persons detained for political reasons. There is no direct equivalent of habeas corpus in the French legal system, but a suspect can only be held by the police one, or at most two, days before being transferred to a magistrate for investigation.

f. Denial of Fair Public Trial

The right of fair public trial is guaranteed by law and respected in practice. Suspects have the right to legal counsel as soon as a case is transferred from the police to a magistrate. Pre-trial confinement in the magistrate phase is limited to four months for misdemeanors, but can be longer in cases of felony. French law provides for the right of appeal. Amnesty International expressed some concern about the status of conscientious objectors and the possibly prejudicial use of summary judicial procedures in misdemeanor cases, but noted both issues were scheduled for Parliamentary review and reform. The Amnesty International report for 1982 also noted that because of legislative changes introduced in the second half of 1981, its previous concerns had abated.

g. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice. Search warrants are required for an official to enter a private residence. Searches must take place between 9 a.m. and 6 p.m., except in special cases such as drug offenses, when they can be undertaken at any time.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These freedoms are guaranteed by law and respected in practice. Newspapers and magazines are free from government control and carry views ranging across the political spectrum. Major radio and television stations are government-owned. In 1982, in a move to separate the Government from direct involvement with radio and TV, these media have been put under jurisdiction of a "High Authority" whose appointment is shared among the President, the National Assembly, and the Senate. (Opposition parties currently control the latter institution.) Allegations of government pressure on television and radio continue to be heard, and denied. To the extent that it exists, government pressure on the audiovisual media is not a significant limitation on political freedom.

b. Freedom of Peaceful Assembly and Association

Freedom of peaceful assembly and association is constitutionally guaranteed and respected in practice. Labor unions have the right to organize free from government control. Although only roughly 20 percent of the labor force is unionized, trade unions exercise a significant influence on the economic and political life of the country and are present and active in numerous tripartite (government, employers, labor) bodies which deal with social affairs, including labor courts and the prestigious Economic and Social Council, a constitutionally-mandated consultative body. Trade unions are free to associate with political parties and with international labor groups.

c. Freedom of Religion

The Roman Catholic Church is by far the largest religious group in France. Separation of church and state is guaranteed by the French 1905 Concordat with the Vatican (except in Alsace and Lorraine where, for historic reasons, the Concordat does not apply and the Catholic Church enjoys a favored status). All other religious groups function freely without persecution or restriction. Government service is open to members of all religions. There are parochial as well as public schools.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There is freedom of internal movement, foreign travel, emigration, and repatriation. Arriving refugees, intending emigrants, and intending repatriates can undertake foreign travel and return to France. France has an extensive record of refugee aid. As of the end of 1982 France had accepted well over 100,000 Indochinese refugees.

e. Freedom to Participate in the Political Process

The French Constitution guarantees the equality of all citizens before the law, without distinction as to origin, race, or religion. All French citizens of both sexes who have reached their majority may vote. These provisions are fully respected in practice. A wide choice of political parties exists; these parties compete freely in elections. In addition to national presidential and legislative elections, there are regularly scheduled elections at the local level. The Government is in the process of transferring significant powers from the executive branch to locally-elected assemblies. Women, representing approximately 52 percent of the population, have equal status under the law, but remain engaged in the continuing effort to maintain and strengthen their rights. A Cabinet-level ministry is charged with responsibility for women's affairs. In 1982 the French Government promoted efforts to close loopholes in French legislation on sex discrimination in the workplace, to disseminate information on contraception, and to put into force partial state financing of abortions. A wide range of special interest groups -- labor, veterans, consumer advocates, ecologists, and other groups -- organize freely, run candidates for elective office and otherwise influence the French body politic. Legislation over the past year has been enacted to broaden civil liberties. While isolated incidents of discrimination occur, particularly against the large guest-worker community, government policy does not condone racial, religious, or political discrimination.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

France has traditionally been a leader in the human rights area. Human rights organizations operate freely in France. Amnesty International maintains a large office in Paris. Other human rights organizations in France are the International Federation for Human Rights and the International Institute for Human Rights.

4. Economic, Social, and Cultural Situation

France has an advanced industrial mixed economy which is accompanied by a system of social assistance to needy members of the population regardless of race, religion, sex, ethnic background, or political opinion. France's population as of 1981 was 53,849,000. Population growth rate is 0.4 percent. GNP per capita is $11,731 (1980). Life expectancy at birth was 74 years (as of 1980) and the infant mortality rate is 9.8/1000 as of 1981. Adult literacy rate is 99 percent (1975), the primary school enrollment ratio is 112 percent (i.e., including adults enrolled), and the ratio of calorie supply available for consumption relative to nutritional requirements is 136 percent (1977).

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: FRANCE

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
OTHER US LOANS..........	49.1	55.4	0.0
EX-IM BANK LOANS.......	49.1	55.4	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	250.3
IBRD	0.0	0.0	0.0	250.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	0.0
OTHER-UN	0.0	0.0	0.0	0.3
EEC	0.0	0.0	0.0	0.0

GERMAN DEMOCRATIC REPUBLIC

The German Democratic Republic is a one-party, centralized state ruled by its Communist Party, the Socialist Unity Party. The country was created out of the former Soviet occupation zone of Germany following World War II. Some 400,000 Soviet troops are still stationed in the country. There remain profound historical, cultural and familial ties between its people and those of the Federal Republic of Germany. These are kept alive by West German radio and television broadcasts, which can be received in most of East Germany, and by millions of visits annually by West Germans. Concern for this constant exposure to Western ideas has led the East German regime to exercise extremely tight control over its citizens. The role of the Soviet Union in underpinning party control has also led to almost total East German subservience to Soviet foreign policy and security interests.

The German Democratic Republic has a highly industrialized and centrally planned economy. Only a small percentage of net national product is produced by private enterprise. The standard of living is high by both world and communist-bloc standards. There is relatively small variation in wages and little real poverty. Supplies of basic goods and services are usually adequate except for a serious housing shortage which exists especially in urban areas. There is an extensive welfare system, free education, and full medical care. Access to higher quality social services is often dependent on demonstrated political loyalty. Women are fully integrated into the workforce: 87.6 percent work or are in vocational training, mainly because of the prevailing labor shortage. Women have equal rights and are well represented up to the middle management level. However, few women hold positions of authority in the state, or in the economic hierarchies.

The East German regime does not permit the exercise of civil or political rights which contest state policy or doctrine. Freedom of speech, press, or assembly is not guaranteed. Permissible political activity is determined by the party. Freedom of religion is allowed, but active or devout believers usually face educational and career discrimination. The regime does not permit freedom of movement. There is no systematic, organized pattern of physical torture or cruel and unusual punishment. Amnesty International receives occasional reports of beatings and other forms of prisoner maltreatment. While there is no known political murder, individuals attempting to flee the country are fired upon by border guards whose orders are to shoot the individual rather than allow an escape. There are also automatic firing devices and minefields at places along East Germany's borders with the Federal Republic. Many escape attempts result in death. Laws in East Germany are often vague and open to subjective interpretation by the authorities. Investigations, arrests, and trials can easily be manipulated by the executive authorities for political purposes. The German Democratic Republic has always been a tightly-controlled police state. There are no trends to indicate that liberalization is a realistic prospect.

1. Respect for the Integrity of the Person, Including Freedom from:

    a. Killing

There were no known executions for political reasons in the German Democratic Republic during 1982. Border guards, however, do shoot and often kill citizens who attempt to leave the country without official permission. The number of deaths has dropped in recent years because of the demonstrated efficiency and deadly effect of the border control system and the Berlin Wall. On March 25, 1982, the East German legislature passed a law making it the legal duty of border guards to use weapons to stop "border violations," including unauthorized departures. While shooting escapees is not new, such orders had earlier been contained only in military directives. They are now codified in public law, and soldiers can be prosecuted for not following these orders.

b. Disappearance

Prolonged or permanent disappearance is not known to have occurred in the GDR in 1982.

c. Torture

There were no known reports of systematic, organized physical torture in East Germany in 1982. Although there are no GDR laws explicitly outlawing torture, the country is a signatory of the international covenant on civil and political rights, which took effect in the German Democratic Republic in 1976. Specific GDR laws state that the life, health and ability to work of arrestees and prisoners must not be jeopardized during confinement. However, arrestees have reported long, uninterrupted interrogations with denial of sleep, food and drink, followed by intense pressure to sign a statement certifying humane treatment.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Fragmentary information on prison conditions comes mostly from former inmates who have emigrated. There are frequent allegations of cruel and inhuman treatment in East German prisons. The allegations are almost all against prisons operated by the Interior Ministry, where inmates serve sentences after conviction. The Ministry for State Security controls the pre-trial prisons where interrogations are conducted; there prisoners generally seem to be treated better. Though isolated cases of solitary confinement and mistreatment during interrogation occur, the principal methods used to elicit information appear to be constant questioning and promises of leniency in return for information.

Beatings by guards and other inhumane punishment for minor infractions or on trumped-up charges appear to occur frequently in the post-conviction prisons. Sometimes the prisoner, after being severely beaten, is denied medical care and placed in an isolation cell for weeks without adequate heat, food, or sanitary conditions. Some prisoners have reportedly died from lack of medical treatment of their injuries. Suicides and suicide attempts are said to occur regularly in prisons. In some instances, prisoners have reported finding fellow inmates dead under conditions pointing to foul play by prison guards, though prison officials list the deaths as suicides.

Inmates convicted of common crimes and political crimes are mixed together and generally treated identically. Prison conditions are reportedly inadequate in several respects, including over-crowding in cells, poor food, and inadequate sanitary facilities. Although prisoners are supposed to have access to medical facilities, prisoners with severe medical problems are allegedly refused care. There are also allegations of scarcity of medications and treatment by personnel with little or no medical training. Given the relative prosperity of East Germany, these inadequacies seem due more to a lack of concern than resources. There have been no reports in recent years of the use of the death penalty. Prisoners, except those being punished for violations of prison regulations, are generally allowed to have two visitors per month.

e. Arbitrary Arrest and Imprisonment

The East German penal code is so vaguely written that it is not always clear what objectively constitutes an offense. Many political actions are defined as criminal. For example, the penal code provides that a person can be sentenced up to three years for "making available writing, objects, or symbols which are collected in order to prejudice the state of public order, to disturb the socialist community or to bring contempt upon the state of social order." Transmitting information (even if it is not secret) to a foreign organization can be considered treason. This law has not been rigorously enforced, but it has inhibited East German contacts with foreign journalists and diplomats. Attempting to flee the country or helping someone to do so is considered a political crime. A few people are known to have been arrested simply because they applied for permission to emigrate and refused to withdraw their application. The authorities consider this "agitation against the state."

There are no firm figures on how many political prisoners there are in East Germany, but estimates from private human rights groups range from 4,000-5,000. There are very few, if any, political prisoners being held for violent acts. Amnesty International reports the majority of its cases in the German Democratic Republic are those of individuals who sought to leave the country.

The right of habeas corpus does not exist in East Germany. Under the criminal procedures code, a person can be held up to three months before charges are filed. Moreover, the public prosecutor may extend the detention period indefinitely until the investigation is finished. This has occurred in several political cases.

No specific charge need be brought to detain a citizen under house arrest. According to the law on house arrest of 1981, the public prosecutor can, with the approval of a court, order the house arrest of a person, "even if a violation of a particular law has not occurred," if this person is considered to be a threat to public security and order.

In most political cases, it takes longer than 24 hours -- often many weeks -- before interested parties are notified. The public prosecutor may postpone notification of the relatives and employer of the prisoner if "the objective of the investigation would be endangered by the notification. The notification will then take place immediately after the elimination of the grounds of endangerment."

f. Denial of Fair Public Trial

Although East German law provides for a fair public trial for all defendants, a judge can authorize a closed trial if he determines the case affects public order or the security of the state. There is no hearing prior to the judge's decision and no appeal from it. Additionally, the judge can, on the same grounds, ban selected individuals or groups from open trials. Identity checks outside courtrooms where sensitive trials are held can also close trials de facto, since routinely the police turn away those who have "no business" there. Virtually all political trials are closed. Although defendants are guaranteed the right to a lawyer of their choice, there are many hindrances to effective counsel. For instance, a defendant is often not allowed to pick a lawyer until a few days before the trial, or to discuss the specifics of the case with his lawyer until the investigation is completed and formal charges are brought, which may be a period of months. The defense attorney must also receive permission to meet his client in private, and there is no guarantee that this will be granted. Trials tend to be short and perfunctory. In cases with high political interest, there are no known cases of acquittal of the defendant. The courts constitutionally are under the control of the Council of State, but are in reality controlled by the party. The party appoints judges, and a judge may be recalled at any time by the state. Military courts try civilians only in military espionage cases.

g. Invasion of the Home

The police have the authority to enter a home almost at will. By law, they need an authorization to enter and search a house, but the police can authorize entry themselves, and the courts will retroactively give approval. The authorities reportedly do not investigate complaints of abuse. The police do not have to give a receipt if they confiscate materials in a home.

It is routine and legal for the state security organs, solely on their own authority, to tap telephones and open mail. Evidence collected in these ways are used in court. The authorities reportedly practice these methods and "bug" houses on a regular basis. East Germans often claim to detect bugging, mail opening, and physical surveillance if they have unusual contacts with Westerners or otherwise arouse the curiosity of the state security services. There is also a widespread belief that undercover state security service informers are active in every apartment house, work unit, and even local bar.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The media are Government-controlled and censored. Western publications are not allowed in East Germany, unless they are politically acceptable, such as the newspapers of Western communist parties. Border officials confiscate Western publications carried by travelers to East Germany. An East German citizen can be arrested and interrogated for simply possessing such publications or for passing them to others. Except for theology, all areas of intellectual inquiry are controlled by the party and the state.

Law and practice severely limit East German contacts with Western journalists. In spite of the restrictions, the Government's control of information is greatly hindered because most East German citizens watch West German television and listen to West German radio broadcasts. The regime does not try to prevent its citizens from receiving these broadcasts. It does however, make a special propaganda effort to discredit Western media and to persuade East Germans not to listen.

Many literary figures who have published works in the West critical of the regime have been encouraged to emigrate, many after first being jailed. Individuals who publicly express "anti-socialist" views are frequently arrested. During 1982, many youths who began wearing armpatches depicting the Biblical quotation "swords into ploughshares," as symbols of their dedication to peace, were detained by police who forcibly removed the patch. This patch had been legally produced in East Germany as a symbol for a Lutheran Church sponsored peace discussion group. The state retroactively decided such signs of pacifism "harmed the socialist community."

b. Freedom of Peaceful Assembly and Association

There is no freedom of assembly. Individuals are not allowed to organize into groups which are not officially controlled, with the exception of the churches. The only trade union organization permitted is controlled by the Communist party. Strikes are not permitted. Trade union assemblies are rigidly controlled by the party as are any other non-ecclesiastical public meetings. They transmit party economic directives and propaganda for greater productivity.

c. Freedom of Religion

The freedom to practice religion is permitted within certain limits, although the state discourages such practice. Nearly 50 percent of the population are members of the Lutheran Church. The Church has gained many concessions from the Government in recent years: e.g. applications for television broadcasts by the church are routinely approved; ministers are now allowed to work in the prisons; and several churches in new housing areas are being built. East German churches receive considerable financial aid from churches in the Federal Republic. The state does provide substantial funding for church hospitals, homes for the aged, child care centers, and cemetery maintenance. The churches, especially the Lutheran, often criticize government policies in certain areas without retaliation. The most serious problem facing the churches is the declining membership in the face of continuing discrimination against active church members.

The other protestant churches (less than 1 percent of the population) and the Roman Catholic Church (less than 8 percent) are generally undisturbed. Jehovah's Witnesses and Christian Scientists are prohibited. More than 40 percent of the total population is unaffilitated. The very small Jewish community receives Government financial support for its activities, including the building and maintenance of synagogues and the maintenance of an old-age home. There are no Jewish schools and no resident rabbi.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Travel within the country is generally not controlled. Foreign travel is comparatively easy to the Soviet Union and Eastern European countries, except Poland. Travel to the West is almost impossible for most East German citizens under retirement age (60 for women, 65 for men). The sector line between East Berlin and West Berlin and the border between East and West Germany are among the most impregnable frontiers in the world. To cross the border without permission is a crime punishable by up to five years in prison. Though it is extremely dangerous, hundreds of East German citizens manage to escape each year. Known incidents of wounding or death have fallen off substantially in recent years. Many East German citizens flee to the West via other East European countries. According to figures published in West Germany, 269 East Germans risked death to escape over the border between January and November 1982 and another 2,123 left the country illegally via other means.

The German Democratic Republic contains no large refugee groups from other countries, though for local propaganda purposes the regime welcomes individual leftist refugees from abroad.

Most East German citizens who depart legally are forced to give up their citizenship and wait five years before returning to visit. Individuals who left the country illegally before January 1, 1981, are eligible, under regulations issued in 1982, to apply for permission to return to visit. Many are understandably reluctant to do so, and it is said that only about half of those who have applied have obtained visas. In June, the regime revoked East German citizenship for some 50,000 East Germans who had fled to West Germany prior to January 1, 1981, thus enabling them to visit and transit East Germany without a priori eligibility for arrest.

e. Freedom to Participate in the Political Process

The East German political system is totally dominated by the Socialist Unity (Communist) Party. Within this party "democratic centralism" is vigorously enforced, and decisions are taken by party leaders. Party members who disobey party direction are disciplined or expelled. The four other existing parties have no real power; their existence is a token of "democracy". All parties have their own newspapers, but all follow the Socialist Unity Party's policy lines. All important news articles have nearly identical texts. All citizens are required to vote, although there is only a single list of candidates on the ballot. A citizen can be imprisoned for refusing to vote. Refusal to vote or to approve the single list is obvious because balloting is not secret, and dissenters face such penalties as discrimination in housing or employment.

The Lutheran Church provides a limited forum for political discussion outside state controls. Some individuals who have been critical of government policies in these discussions have been the object of government retaliation.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Government has taken the position that inquiries into its human rights policies are interference in the internal affairs of the country. Requests by Amnesty International and other private human rights groups in the West for information about human rights conditions have not been answered. The Government does not permit visits by these groups. The official East German committee for human rights is a propaganda organization which attacks human rights conditions in Western countries while claiming that there are no human rights violations in East Germany. No unofficial human rights groups exist in the country, although emigre groups in West Berlin occasionally publicize cases of denial of human rights. Allegations of human rights violations are presently under consideration by the U.N. Commission on Human Rights under the confidential procedures of ECOSOC Resolution 1503.

4. Economic, Social, and Cultural Situation.

The German Democratic Republic has a highly-industrialized and centrally-planned economy. It is generally an importer of raw materials and an exporter of manufactured goods. All large industrial, retail, and agricultural operations are state-owned, but small private businesses with fewer than 10 employees are allowed. According to official East German statistics, 2.9 percent of the net national product is produced by private enterprise.

It is difficult to devise precise statistical comparisons between East Germany's standard of living and that of other countries because of the manner in which data is compiled in East Germany. The country, however, has a relatively high standard of living, possibly the highest in the communist bloc. According to the World Bank, per capita income in 1979 was $6,430. According to official East German statistics, the economy's rate of expansion has remained at about four percent over the last few years, although the growth rate in 1982 was about three percent.

Almost all East German citizens can be considered middle-class, although a small number of political and industrial leaders live in relative opulence. There is little real poverty in the country. Over the last five years the average monthly income of an East German worker has climbed at an annual rate of about three percent, but this growth rate is declining.

Prices of basic goods and services have remained stable throughout the last decade because of heavy government subsidies. The caloric supply available for consumption is 139 percent of the nutritional requirement. Most outside observers believe that prices have been rising slowly over the last few years. Shortages of consumer goods are periodic but not pervasive. Supplies of basic goods and services are usually adequate, but other consumer goods such as bed linen, candles, and furniture often disappear from the stores for long periods. During 1982, there were periodic shortages of meat, butter, and cooking oil.

The most serious shortage in East Germany is housing, especially in the cities. This is partly a result of the damage caused in World War II, plus underinvestment in housing. Residents of Berlin usually wait more than 18 months for housing if they are single and often more than one year if they are married. The Government is committed to a major housing construction program lasting until 1990; it has made good progress during the 1970's.

Special privileges for housing, foreign travel, education, and consumer goods exist for people in certain job categories. These special benefits can be much more important than wages in determining status and living standard, and thus they tend to create a privileged class. Many people in the religious communities complain of discrimination in employment and education.

There is an extensive welfare system which includes a comprehensive child care system for working parents. In 1980 there were about 284,000 places in pre-school care centers for children under the age of 3 (in that year the East German population included 702,000 children under 3). Free medical care is also provided. In 1980, per 1,000 citizens East Germany had 2.03 doctors, .58 dentists, and 10.3 hospital beds. There were approximately 13 deaths in the first year of life for every 1,000 births. Life expectancy at birth is 72 years. Free and universal education is supplied through the 12th grade, and 94 percent of all school-age children attend school. Approximately 92 percent of male children and 95 percent of female children attend school. Literacy is almost universal; however, there is not enough room in the institutions of higher learning for all those who wish to continue their education. Competition is keen for these spaces, and allocation is usually made on the basis of the political acceptability of the applicant. In 1981, there were about 78 college or university students per 10,000 people. Social services are provided to rural residents as well as to urban dwellers. In 1980 the Government devoted approximately 6 percent of its budget expenditures to education, 5.9 percent to medical and social services, and 20 percent to social insurance and pensions.

In economic matters, women are treated more or less equal to men. Their salaries are generally equivalent. About 87.6 percent of women of working age are actually employed, compared to about 88 percent of the men. Women can be found in significant proportions in all professions except the militia. For example, 44 percent of the industrial work force is female, as are 42 percent of those employed in agriculture and forestry. There are very few women, however, in the highest positions of the party, government, economy, and the professions. In the medical and other professions women are probably more numerous than in Western nations, but they seldom rise to supervisory positions in hospitals and similar facilities.

FEDERAL REPUBLIC OF GERMANY

The Federal Republic of Germany is a stable parliamentary democracy in which the head of government--the Chancellor--plays a central role. Although the Chancellor is elected by the Bundestag (lower house of parliament) and can be replaced by it, an incumbent chancellor enjoys a powerful position, approaching that of an American president. The legitimation of the system is based on the principle of majority rule, as reflected in free and fair elections by secret ballot.

The Federal Republic of Germany, founded in 1949, is the first stable democracy in the modern sense on German soil. The founders of the Federal Republic took a number of steps to avoid the instabilities of the classical European parliamentary system of government, as manifested by the Weimar Republic (1919-1933), notably by strengthening the position of the head of government, discouraging the development of splinter parties, and by passing laws which make the parties themselves integral parts of the national political decision-making process.

The Constitution ("Basic Law") of the Federal Republic also provides for an essentially free market economic system, but with a strong "social" element.

Thirteen years of rule by a coalition of the Social Democratic Party and the centrist Free Democratic Party ended in September, 1982, to be replaced by a new coalition of the Christian Democratic Party, its Bavarian sister party, (the Christian Social Union), and the Free Democratic Party. There have been no changes in the observance of human rights in the Federal Republic over the past year. The new coalition Government, if it continues in office beyond national elections scheduled for March, 1983, is not expected to restrict human rights in any way. It may, however, marginally strengthen measures designed to limit residual terrorism and to limit subversion of the Republic by pro-Soviet or other communist elements.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Politically motivated killing by the government or by oppositional political organizations among citizens of the Federal Republic is unknown, with the exception of occasional acts of violence carried out by extremely small terrorist groups on the far left (the Baader-Meinhof group), the far right (neo-Nazi groups), and among some groups of resident foreigners. The frequency, success, and political impact of such acts have diminished markedly since the mid-1970's. There were three car bombings, in which the drivers were the targets, at American military housing areas in the Federal Republic during 1982. The government of the Federal Republic, including the President, has expressed its outrage at these attacks, which caused no deaths, and is investigating them.

Left-wing terrorism in the country had its roots in the "extra-parliamentary opposition" movement of the late 1960's and early 1970's. By 1982, many, but not all, of the Baader-Meinhof activists had been imprisoned, or had sought refuge in other countries. The federal government and the involved state-level governments have been scrupulous in protecting the human rights of imprisoned suspects and convicted terrorists.

Extreme right wing terrorism has not recovered from the October, 1981, arrest of its most notorious proponent, Karl-Heinz Hoffmann. Hoffmann, leader of the "Defense Sport Group Hoffmann," was jailed for complicity in the murder of a Jewish businessman and his wife.

There is a problem with political violence, including killing, among feuding factions of foreigners resident in the country, notably among Turks and Iranian students. As in its dealings with German terrorists, the government has been extremely careful to respect the rights and privileges of foreigners involved in such crimes. The new government has promised a broader policy designed to reduce the number of foreigners living in the country, and, at the same time, has increased its efforts to complete the integration of those foreigners legally resident who want to remain. To the extent that these new policies succeed, the causes and therefore the prospects for political violence among foreign residents may decrease.

b. Disappearance

People are not abducted, secretly arrested, or held in clandestine detention by government authorities. There have been no kidnappings in recent years by terrorist groups for political motives.

c. Torture

Torture, whether physical or mental, is not intentionally inflicted by government authorities on prisoners. It is neither authorized by the Basic Law nor tolerated in practice.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

There is no known discrimination in the treatment of prisoners on the basis of social class, race, sex or religion.

e. Arbitrary Arrest and Imprisonment

There are no reports of any prisoners in the country imprisoned in substantial disregard of generally accepted principles. Article 104 of the Basic Law prohibits arbitrary arrest and is scrupulously respected in practice. Any person arrested by the police must be brought before a judge within 24 hours (or 48 hours under exceptional circumstances). There is no preventive detention, except that a prisoner may be detained no longer than 24 hours while awaiting a formal charge if there is evidence that he might seek to flee the country to avoid prosecution. Bail bond exists in the Federal Republic but is seldom employed.

f. Denial of Fair Public Trial

The Basic Law guarantees due process and prohibits ex post facto laws and double jeopardy. It also requires that a judge (who must charge a prisoner within 24 hours after arrest) shall inform a prisoner of the reasons for his detention, examine him, and give him an opportunity to raise objections. The independence of the judiciary is assured by the Basic Law. A prisoner is entitled to counsel at any time. The Federal Republic's judiciary system is independent of political influence. (On occasion, prominent German political figures have themselves been subject to court proceedings.) There are no "political courts." Military courts deal only with military personnel.

g. Invasion of the Home

Article 13 of the Basic Law guarantees the sanctity of the home, and it is respected in practice. Police may enter a home forcibly only with a warrant issued by a judge (or, in an emergency, by a public prosecutor). "Bugging" also requires a court warrant.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech and of the press is guaranteed under the Basic Law. Any political point of view may be expressed or reflected in the press or news media; criticism of the government is unrestricted. There is no censorship of the media or books and artistic works. Academic freedom is unfettered.

German newspapers are privately owned. German radio and television are independent "corporations under public law" and governed by independent collegial boards made up of representatives of various political parties, churches, and other organizations.

The new coalition Government is favorably inclined towards private access to the "new" media (cable television and satellite broadcasting).

There is no "self-censorship" by journalists or media correspondents. However, the press corps in the Federal Republic is, by tradition, respectful of political leaders and disinclined to take an "adversary" attitude towards the actions of government.

b. Freedom of Peaceful Assembly and Association

The right of assembly is uninhibited by the government. Demonstrators are required to obtain permits to conduct planned demonstrations. There have been a number of very large-scale "peace" demonstrations in the country over the past year. They have generally been peaceful, with both the police and demonstration organizers determined to prevent violence. The police generally are highly disciplined and restrained and are as inconspicuous at such events as circumstances permit. Where there is a chance of violence, the police are usually prepared to respond with a massive show of force, in order to avoid having to use it.

Labor unions in the Federal Republic occasionally demonstrate, invariably peacefully, concerning their grievances. There has been an increase in the number and scale of labor demonstrations, as the worst recession since the end of the Second World War has taken hold in the country. Workers are highly organized, with most unions consolidated into one major labor confederation, the German Trade Union Federation.

Unions are not organized, controlled, or influenced by the state. Historically, the great majority of labor leaders has been sympathetic to the Social Democratic Party and supportive of its policies.

The professions, academics, and a host of other special interests are also highly organized. They are in no way government-controlled or intimidated. Unions and other organizations are free to associate in any way they choose with collateral foreign organizations, and they do so on a large scale.

c. Freedom of Religion

There is no state or otherwise-favored religion in the country. All major religious groups benefit from the state through the church-tax system, and church-affiliated schools are subsidized by the Government.

The population of the Federal Republic is overwhelmingly Christian, about equally divided between the Catholic and Protestant (largely Lutheran) churches. Political organizations, including the parties, are no longer actively concerned with reflecting a balance between the two major Christian confessions. In the new cabinet, nine ministers (including Chancellor Kohl) are Catholic, five are Protestant, and two have no religious affiliation. There is no discrimination in the country against persons affiliated with minority religions.

Religious affiliation does carry some political advantage or disadvantage, depending on the religious preferences of the population in various parts of the country. Protestant politicians tend to be prominent in the generally Protestant northern half of the Federal Republic; Catholics, on the other hand, stand out in the south. Religious affiliation conveys no discernible advantage or disadvantage in the civil service, economic life, or the military.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Movement within the country is completely free. Police do occasionally spot-check identification, vehicle registrations, and driving permits in the vicinity of places where there is a potential danger of terrorist incidents.

Residents of the Federal Republic are required to register with local police authorities in the city or town where they reside and to report to the police when they change residences. This is a bureaucratic formality, however, that does not restrict the right to reside anywhere in the country. The Federal Republic does not control emigration. It issues passports to all citizens requesting them, other than criminals.

Historically, the Federal Republic has regarded itself as the homeland of all ethnic Germans. It practices policies and programs to encourage the movement of ethnic Germans from Eastern Europe and the Soviet Union to the Federal Republic. Such immigrants are treated with generosity. For example, those eligible receive pensions, based on the hypothetical salaries they would have earned had they lived out their careers in the Federal Republic.

A growing political concern in the country over the past year has been the increasing number of foreign, non-ethnic German residents. Faced with continuing large numbers of persons claiming political refugee status, federal and state-level German authorities have become increasingly vigorous in defining such status. They have sought to eliminate non-political incentives to persons who falsely claim to be political refugees. For example, applicants for political asylum are no longer permitted to seek employment during the first two years while their cases are pending, or until they have actually been granted asylum. In some cases, they are given welfare assistance only in kind, not in cash. (Refugees from the Soviet Union and Eastern Europe are excepted from this rule.)

A burgeoning problem in recent years stems from the increasing number of foreign workers, notably Turks, in the country, despite decisions by the Government several years ago no longer to issue permits to new foreign workers. The new coalition Government has indicated that it will undertake a series of measures designed to enforce vigorously laws against illegal residents, to encourage foreign workers through a variety of incentives to return to their native countries, and, at the same time, to encourage the integration of those foreign residents legally in the country who wish to remain.

e. Freedom to Participate in the Political Process

While the Federal Republic of Germany has a parliamentary system of government, the Chancellor, or head of government, holds an unusually strong position vis-a-vis the Bundestag once he has assumed office. At present, there are three parties represented in the Bundestag, as described in the introduction. In September-October, 1982, there was a peaceful and constitutional change in government, as the small, centrist Free Democratic Party resigned from the coalition it had supported with the Social Democrats ever since 1969. A few days later, it joined in a so-called "constructive vote of no confidence," which made the chairman of the Christian Democratic Party, Helmut Kohl, chancellor. The parliamentary system of government enjoys overwhelming popular support.

In recent years, and particularly over the past year, there has arisen in the Federal Republic a new political party, the "Greens," a very loose and still somewhat incoherent confederation of environmentalists, "peace" movement activists, counter-culture advocates, social "dropouts", and local special interest groups. The "Greens" are now represented in six of the eleven state assemblies in the country as well as Berlin.

The "Greens" do not fully support the parliamentary system in a number of respects. Most importantly, their leaders argue simultaneously for parliamentary representation and the achievement of political aims through non-violent street action. They reject the principle of personal leadership, and do not themselves have a chairman, merely rotating "spokesmen." They believe in the "imperative mandate", which holds that Green deputies in various parliaments should vote on the basis of binding instructions from the party membership rather than personal conviction.

The "Greens" present a challenge, although probably a temporary one, to the stability and effectiveness of the parliamentary system of government in the Federal Republic. The present Social Democratic leadership, in particular, is seeking ways to integrate the "Greens" into its party structure in the coming years.

All segments of German society participate actively in the political process--even those, such as the "Greens," who do not share much enthusiasm for it. Although there is no obligation to vote, generally between 75 and 90 percent of all eligible voters do exercise the franchise.

Society and the economy in the Federal Republic are highly organized in a great panoply of interest groups and lobbies, all of which compete for the attention of parties and government.

In a complicated system of dual ballots, each citizen votes for both a candidate for the Bundestag from his own electoral district and a state-level party slate of additional Bundestag candidates. In state-level elections, voting is conducted on a similar basis. The only parties or groups denied participation in this process are those few (the Communist Party of Germany and a now defunct neo-Nazi party) which in the 1950's were found to be in violation of the Basic Law and therefore ineligible to exist as political parties. Since that time, governments led by either of the major parties have preferred to err on the side of tolerance of anti-constitutional parties, so that there exist today a new communist party (DKP) and a neo-Nazi party (NPD), which participate freely in elections. However, their appeal to the electorate is almost non-existent. Together they have attracted only a fraction of one percent of the popular vote in recent elections.

Among citizens of the Federal Republic, the only ethnic minorities are a small Danish-speaking group in the northern state of Schleswig-Holstein and those foreign workers who have acquired German citizenship. Women, to the extent that they wish to be, are full participants of the political process. Of the 497 deputies in the parliament, some 40 are women. Of the 16 cabinet members in the Kohl Government, however, only one is a woman.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

A number of human rights organizations exist in the Federal Republic, notably Amnesty International and the International Society for Human Rights. They operate in complete freedom, and their activities and reports are regularly and prominently reported upon in the press. The International Society for Human Rights, for example, held hearings in Bonn during November, 1982, on the issue of forced labor in the construction of the Soviet trans-Siberian pipeline. The very positive human rights situation in the Federal Republic itself is such that Amnesty International and other governmental or non-governmental organizations have had little occasion to concern themselves with it.

Amnesty International did pursue allegations that imprisoned Baader-Meinhof terrorists had been harshly treated, insofar as they had been kept in solitary confinement. (Such confinement was made necessary, German officials judged, by their well-documented ability to carry on terrorist plans and activities even from within jail, with the assistance of their lawyers). No evidence has emerged to support charges of harsh treatment of imprisoned terrorists.

4. Economic, Social, and Cultural Situation

The Federal Republic has a highly-developed social welfare system. Wages are high, unemployment, health, and old-age pension plans are generous, and are seen by some observers as contributing to the country's present economic difficulties. There is little sexual, racial, or religious discrimination, and it is not encouraged by the Government at any level. The right to own property, alone or in association with others, is fully protected.

The country's population (61,010,000 in 1981) is stable and has not grown significantly for many years. Growth was negative in 1980: -0.2 per cent. GNP per capita ($13,585 in 1980) and life expectancy at birth (72.6 years) are high. The 1980 infant mortality rate was 13.5 per 1000 live births. Adult literacy is virtually universal (99%).

The entire population is well-fed and has access to safe water and to primary and secondary school education. The 1977 ratio of calorie supply available for consumption, relative to nutritional requirements was 127 per cent. Generous unemployment compensation (68 percent of one's last net salary) assures that even in periods of economic downturn, basic human physical needs are well-covered.

GREECE

Greece is a republic with a democratically elected parliament. A full member of the European Economic Community, Greece is classified according to United Nations standards as a developed country. Its economic system is a traditional free market economy.

The full range of universally acknowledged human rights is protected by the 1975 Constitution, which reflects the spirit and includes many of the provisions of the United Nations' Universal Declaration of Human Rights. Parliamentary elections were held most recently in October 1981 and were vigorously and freely contested. The judiciary is independent of both the executive branch of government and parliament, and operates within a civil law framework with precedents from Roman law and French and German sources. An active and unfettered press functions throughout the country. Economic and social rights in Greece are guaranteed by the Constitution and are fully observed by the Government. Thus, through a combination of constitutional guarantees and administrative practices, the Greek Government has demonstrated its commitment to the observance of human rights.

Legislation was passed in 1982 which extended existing human rights in the areas of labor law, family and marriage law, and political participation (voting age and local self government).

Both short-term and long-term trends for human rights in Greece are favorable.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no cases of politically-motivated killings in Greece in 1982.

b. Disappearance

People are not abducted, secretly arrested or held in clandestine detention either by legal authorities or others.

c. Torture

Freedom from torture is guaranteed by the Constitution. Torture and bodily maltreatment, impairment of health, or the use of psychological violence, as well as any other offense against human dignity, are prohibited and punished as provided by law. These provisions are respected in practice.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Freedom from cruel, inhuman, and degrading treatment or punishment is also guaranteed by the Constitution, and has been respected in practice during 1982. Summary executions do not take place, and physical punishments are not administered as sentences for crimes. Conditions in prison and detention facilities are satisfactory. Adequate health care and diet are provided. There is no distinction in treatment among prisoners of different social class, race, sex, religion, or type of conviction. Cases requiring medical treatment receive special attention. Once sentenced, prisoners may be visited by family members three times per week.

e. Arbitrary Arrest and Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by the Constitution, which states "no person shall be arrested or imprisoned without a reasoned judicial warrant which must be served at the moment of arrest or detention pending trial, except when caught committing a criminal act." This provision is respected in practice. Preventive detention does not exist in Greece. A person arrested on warrant or while committing a crime must be brought before an examining magistrate within 24 hours, at which time he is charged. This magistrate must issue a warrant of imprisonment or order the release of the detainee within three days of the examination, unless special circumstances warrant a two-day extension of this time limit. The Constitution further states that the maximum duration of detention pending trial "may not exceed a period of one year in the case of felonies or six months in the case of misdemeanors." A decision of a judicial council is required to effect extensions of these maximum durations (by six or three months, respectively) in exceptional cases. In practice, despite crowded court calendars, trials generally take place within four months of the submission of charges.

f. Denial of Fair Public Trial

The judiciary is independent of the executive and the military. Fair and public trials are guaranteed by the Constitution and respected in practice, and defense lawyers are always available. Mandatory public court sessions are provided for, except for a few special exceptions involving juveniles or those charged with morals offenses, when the privacy of the victim requires protection. There is also a legal provision for the possible closed hearing treatment of a sensitive portion of cases dealing with public order. In such instances, none of which are known to have occurred during the past year, the court by law must publicly pronounce its "reasoned decision" on the matters heard privately. A defendant may appeal a court verdict to an appeals court. The Constitution stipulates that military courts shall have no jurisdiction over civilians.

g. Invasion of the Home

The inviolability of the home as well as of an individual's personal and family life are guaranteed by the Constitution, which states "every person's home is a sanctuary." The personal and family life of the individual is inviolable. No house search may be made except when and as specified by law and always in the presence of representatives of the judicial power. These constitutional guarantees are respected in practice. Warrants, issued by a district attorney, who is considered a judicial officer in Greece, are required for an official to enter a private home. No cases are known in which forced entry has been alleged or in which the Government has practiced other violations of the home. A constitutional provision requires punishment and "liability to full damages to the sufferer" for violations of the sanctuary of the home and for the abuse of power.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech is guaranteed by the Constitution, which states that every person may express and propagate his thoughts orally, in writing, and through the press, with due regard to the laws of the state.

Freedom of the press is guaranteed by the Constitution which states "The press is free. Censorship and all other preventive measures are prohibited." Opposition viewpoints are constantly ventilated in the active Greek press, and criticism of the government is tolerated. Radio and television are government owned, but opposition viewpoints are aired. The Constitution allows for the seizure, by order of the public prosecutor, of publications which insult the president, offend religious beliefs, contain obscene articles, advocate a violent overthrow of the political system, or disclose military and defense information. No periodicals or newspapers were seized in 1982. Greece has strict libel laws. Violations of these laws are prosecuted under established legal procedures with the safeguards of due process.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly is guaranteed by the Constitution, which states "Greeks shall have the right to assemble peaceably and unarmed." Limits on outdoor public meetings do exist, however, if it is determined by police authorities that a serious disturbance of social and economic life is threatened. In 1982 no public assemblies were prohibited. Police on occasion restrict areas where demonstrators can gather, if such gatherings in their view pose a clear and present danger to public safety and order.

Labor rights are guaranteed by the Constitution and are respected in practice. The right to bargain collectively and the right to strike are exercised freely.

c. Freedom of Religion

The prevailing religion is Eastern Orthodox. There are several small minorities including Muslims, Jews, and non-Orthodox Christians. The Constitution guarantees freedom of religion and prohibits discriminatory practices against religious minorities. This provision is respected in practice. Minority groups have participated in the increasing prosperity of Greece and enjoy full political rights. The Greek Government is committed to observing the provisions of the Treaty of Lausanne relating to the education and political rights of the Muslim minority. Currently there are two Muslim members of Parliament. There are occasional complaints by members of minority groups about alleged bureaucratic delays on such matters as driving licenses and land transfers, although these difficulties appear to reflect low-level discrimination rather than a systematic Government effort to harass the Muslim minority. In 1982 members of the Muslim minority in Western Thrace protested against a lower court decision upholding government notices of expulsion from their land in the village of Evlalos. The Government claimed that the farmers involved had no legal title to the land, and that it belonged to the Government. The Muslims claimed that there was no legal basis for the Government action, and that the intended use of the land is the resettlement of Greeks in an historically Muslim area. In April 1982 an Appeals Court judge stayed the lower court decision. Pending further decision of the Appeals Court, the Muslim families have continued to occupy and use the disputed land.

During the emotional reaction to the Israeli military intervention in Lebanon, members of Greece's small Jewish minority complained of growing anti-Semitism, including in particular the interchangeable use of the words "Jewish" and "Israeli" by the press and government-owned mass media. The Government responded by recalling Greece's historic record of protecting its Jewish community and by disclaiming that its policy of opposition to Israel's actions was in any way directed against Greek Jews.

Greece's small community of Jehovah's Witnesses was affected by the provision in the Constitution which states that "No person shall be exempt from discharging his obligations to the State or may refuse to comply with laws by reason of his religious convictions." In deference to the Jehovah's Witnesses, in 1977 the Government modified the compulsory military service law to provide for alternative, noncombat service. While courts of first instance have, on occasion, handed down lengthy sentences to conscientious objectors who refuse military or alternative service altogether, prison terms are sharply reduced in the appellate process. Under the law, prison sentences can be worked off so that, in practice, a conscientious objector does not serve a sentence longer than his period of military obligation and could serve a shorter period.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution guarantees freedom of movement within the country, foreign travel and emigration. This right is respected in practice. Intending emigrants and those returning experience no discrimination. Refugees are not forced to return to homelands from which they fled.

e. Freedom to Participate in the Political Process

Greece is a multi-party democracy in which all citizens enjoy full political rights, without regard to race, sex, religion, or political persuasion. All opposition parties function freely, have access to the media, and hold public meetings. Women have the same political rights as men and participate fully in the Greek society. At present there are 13 women in the 300 member Parliament, and one Minister and two Deputy Ministers in the Cabinet.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Greek Government has not objected to visits and investigations by human rights organizations. Amnesty International has a chapter in Greece.

4. Economic, Social, and Cultural Situation

Greece's per capita gross national product has grown rapidly during the 1970's and reached $4,522 in 1980 according to World Bank data and $4,348 according to OECD data. Although still high, Greece's per capita GNP is probably well below that figure today, because the 1980 data was based on a different exchange rate. Moreover, in 1981 and 1982 there was no real growth in GNP. The rate of inflation was about 25 percent in 1980 and 1981, and the Government has increasingly resorted to price controls in 1982 to deal with this problem. The

Government also regulates heavily the credit markets. Real interest rates for savers are negative and often 10 percent below the rate of inflation. Import and exchange controls are becoming an increasingly more common feature of economic life.

Despite these problems, living standards are relatively high, as reflected in social data on Greece. Greeks are well-fed; the ratio of calorie supply relative to nutritional requirements is 136 percent. Life expectancy at birth is about 74 years, and the adult literacy rate is 90 percent for the total population, but almost 100 percent for adults below 55 years. Moreover, 100 percent of the population has access to safe water, and primary school enrollment exceeds 100 percent (i.e., some children older or younger than the normal ages are in primary school). However, the infant mortality rate is 18.7 per 1,000, which is relatively high, and the quality of medical care, particularly outside the three major cities, is not adequate.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: GREECE

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	147.6	178.0	281.3
LOANS..............	145.1	176.5	280.0
GRANTS.............	2.5	1.5	1.3
A.MAP GRANTS..........	1.3	0.4	0.0
B.CREDIT SALES-FMS....	145.1	176.5	280.0
C.INTL MIL.ED.TRNG....	1.2	1.1	1.3
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	147.6	178.0	281.3
LOANS..............	145.1	176.5	280.0
GRANTS.............	2.5	1.5	1.3
OTHER US LOANS..........	76.2	12.0	0.0
EX-IM BANK LOANS.......	48.1	12.0	0.0
ALL OTHER.............	28.1	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	115.8	101.0	0.0	924.4
IBRD	0.0	0.0	0.0	489.6
IFC	10.9	0.0	0.0	66.8
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.9	0.0	0.0	25.4
OTHER-UN	0.0	0.0	0.0	1.2
EEC	104.0	101.0	0.0	341.4

HUNGARY

Communist rule imposed by the Soviet Union has been a fact in Hungary for more than three decades, except for a brief period during the Hungarian revolution in 1956. The Hungarian Socialist Workers (Communist) Party has maintained a thorough monopoly on political power. Although a number of citizens' rights are prescribed by the Constitution, in practice the exercise of such rights is determined and controlled by the Communist Party.

Prior to the 1956 revolution, the Hungarian Government followed rigid Stalinist policies. Beginning in the early 1960's, after a half-decade of extreme repression under Janos Kadar following the Soviet armed intervention, Hungary gradually eased internal controls, permitting a modest degree of economic well-being and cultural diversity. This easing of controls represented an attempt by the Kadar Government to accommodate popular opposition to the rigid restrictions of the 1950's. Political expression still is tightly controlled, and participation in the political process is not possible outside the Communist Party. The party has sought public support through an explicitly stated policy of social reconciliation under the tenet "who is not against us is with us." The Communist Party's mass organization, the "People's Patriotic Front," has also sought to ally itself more broadly with what it interprets as the aspirations of the Hungarian people.

Although the Hungarian authorities deny that judicial sentences are meted out for "political reasons," and instead cite arrests and prosecutions for crimes "against the State and humanity," Hungarian officials themselves admit that there are "political" prisoners. In 1980 they claimed there were less than 50. Emigration is possible within limits. Visits abroad, including to Western countries, are also possible within somewhat wider limits. The practice of religion is allowed only within the framework of agreements reached between the Hungarian churches and the Government. The Government, however, has warned against "evolving forms" of religious dogma and activities which may provide a facade for anti-state manifestations, an apparent reference to incipient pacificism and conscientious objection to military service. Atheism is the official dogma. Secret police, arbitrary prosecutors, and other coercive institutions exist, but have been somewhat curtailed. Party and government officials claim to have eradicated many of the abuses of "socialist legality" which characterized the pre-1956 period.

The Soviet Union has maintained military forces in Hungary since the end of World War II. Approximately 60,000 Soviet soldiers are currently stationed there -- roughly the same number as prior to the 1956 revolution. This, and Hungary's geographic position, allow the Soviet Union a large degree of influence over Hungarian domestic policies.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There is no evidence that killing for political motives occurs in Hungary.

b. Torture

The 1972 Constitution of the Hungarian People's Republic states: "In the Hungarian People's Republic, citizens have the right to the protection of life, integrity of the body, and the preservation of good health." There are no known instances of torture in 1982 or in recent years.

c. Cruel, Inhuman, or Degrading Treatment or Punishment

There have been no known summary executions in Hungary in recent years (although some occurred during -- and a much larger number after -- the suppression of the 1956 revolution). Mistreatment of those who may have participated in the revolution is believed to have ceased gradually after the end of the so-called consolidation phase in 1960-62, although there are reports that some who were involved and who remain in Hungary continue to have their activities limited. Citizens, in principle, may bring complaints against the police.

There are three levels of punitive incarceration in Hungary: "workhouse", with somewhat liberal visiting, outside work, and leave privileges; "jail", which is more punitive; and "prison", which means a maximum-security penitentiary. Confinement conditions vary in relation to the category level of incarceration, but all levels are believed to provide adequate diet and health care. Hardened criminals are confined separately from those convicted of petty crimes. With varying degrees of frequency, depending on levels of imprisonment, prisoners have rights to visitation by family members, other relatives, and friends. There does not appear to be deliberate and willful or systematic mistreatment of prisoners.

d. Disappearance

There have been no reported disappearances in Hungary during 1982.

e. Arbitrary Arrest and Imprisonment

Citizens seem generally free from arbitrary arrest. Upon arrest, a detainee must be informed in writing of what offense he or she is suspected of having committed, and can be held at a police station for a maximum of 72 hours before charges must be filed. There is no right of bail or of provisional pretrial liberty. Although authorities have some discretion to grant pretrial liberty, they rarely do so. In cases of suspicion for major crimes, a person can be held in jail 30 days before trial, renewable twice for a maximum of three months.

Hungary's new penal code, adopted in 1979, contains an article on incitement which permits officials to prosecute for a wide range of utterances or statements. There are reports of individuals being sentenced for denouncing the

Communist Party or the Soviet occupation of Hungary. Not all cases of incitement involve political matters and frequently such cases result in short or suspended sentences. Official statistics show that 75 cases arose in 1981, resulting in 35 indictments, 20 convictions of adults involving imprisonment, and one conviction of a minor involving imprisonment.

Another penal code provision on "espionage" provides for punishing "a person who obtains, collects, or gives out data which can be used against the Hungarian People's Republic with the purpose of forwarding them to a foreign government or organization..." Neither the nature of the data transmitted nor the nature of the recipient organization is clearly defined, thus allowing a broad interpretation by the authorities of the kind of "data" considered to be proscribed.

In general, however, the new penal code is somewhat more lenient than the previous one. It provides lesser penalties for so-called political crimes on a small scale, such as offhand statements against the party or Government. Many such crimes are now misdemeanors, with the first offense often resulting in a short (three months) suspended sentence and a fine (usually about $40.00, which is roughly equivalent to 20 percent of a worker's monthly wage). At the same time, the new penal code has taken a harder line against economic corruption with crimes of this nature often resulting in more severe penalties. It appears to be difficult to get reduced or suspended sentences in corruption cases.

A public statement by the Hungarian Minister of Justice in October 1980 said that two-tenths of one percent of all Hungarians in jail can be classified as political prisoners, indicating an actual total of less than 50 individuals. The Minister described three categories of political prisoners: those accused of war crimes, espionage, and "incitement against the Hungarian Constitution." There is no independent information to either substantiate or rebut the Minister's statement.

f. Denial of Fair Public Trial

The Constitution stipulates that all court proceedings are open, except for cases specifically exempted by law (those involving morals or state secrets); and that "all courts are independent" and "subject to laws." All courts deal with criminal, political, and security cases. There are very few closed trials in Hungary. Those which are closed usually involve "national security" not otherwise defined. The Hungarian Government claims that defendants in closed trials are guaranteed the same rights as in any other trial. In general, judicial procedures are investigatory rather than adversarial in nature. There is no trial by jury. Defendants have the right to choose their own counsel. Courts normally seek to apply the law in a methodical fashion. In political cases it is assumed that the outcome is determined in advance by the authorities when they decide to bring the case to trial. Non-political trials are more likely to be handled in an impartial manner than are trials involving offenses considered to be political or crimes "against the state."

g. Invasion of the Home

The Constitution guarantees citizens' personal freedom and inviolability, as well as the secrecy of correspondence and privacy of the home, but in practice these are violated when the authorities determine this to be "in the interests of socialism." Hungarian practice does, however, appear to afford a measure of due process. For example, search warrants are necessary in all cases. House searches require a court order, and must be carried out in the presence of two witnesses. A written inventory must be prepared of items removed from the premises. Available information corroborates general adherence to these procedures. It is assumed that such procedural steps as issuance of search warrants are "expedited" in instances of special interest, such as state security cases.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Constitution guarantees free speech and free press but they are subject to limitations in practice. According to the Constitution, these rights are qualified by the need to conform to the "interests of socialism and the people." The Communist Party or the governmental authorities control all forms of media. A Hungarian citizen is, in practice, unable to speak publicly against the communist form of government or Hungary's alliance with the Soviet Union. If the citizen opposes these basic tenets publicly, he or she may be subjected to varying measures of admonition, harassment, and punishment. There is no legal protection for the citizen who exceeds the political limits on expression established by the Communist Party. Pervasive self-censorship in media and cultural circles serves to remind the citizen where the boundaries are. The authorities have banned the circulation of certain books or articles considered not to conform with accepted positions.

The most recent example of such a banning was a book of essays written by some 70 Hungarian intellectuals in memory of Istvan Bibo, Minister of State in the Government of Imre Nagy during the Hungarian Revolution in 1956 and a prominent contemporary political thinker. The Hungarian authorities refused to publish the book in 1981, because a number of the book's essays criticized Soviet domination of Eastern Europe and contested the legitimacy of Communist Party rule. Typescript copies have been circulated informally among intellectuals and reportedly have been deposited in restricted access sections of some libraries.

Dissident activity in Hungary remains largely confined to several hundred intellectuals who live primarily in Budapest. Political dissidence does not seem to be a mass phenomenon. Hungary's economic progress over the last decade, its emphasis on consumerism, and its willingness to permit more frequent travel to the West than most other Warsaw Pact nations, have all contributed to the relative marginality of the dissident movement vis-a-vis Hungarian society as a whole. The Government has also shown a general willingness to tolerate without explicit reply or rejoinder some expressions of dissent. It has, however, occasionally expelled or permitted the emigration to the West of outspoken opponents of the political system. In at least two such cases, individuals later have returned to Hungary and resumed their residence and dissident activities.

Hungarian dissidents meet irregularly for private discussions of political and other topics. One of the several groups of Hungarian dissidents is active in the distribution of prohibited books and articles in samizdat (self publishing) form. Three issues of the most sophisticated samizdat publication, the journal "Beszelo," which discusses subjects and themes not permitted in the official press, have been circulated in this way since late 1981. Each was printed in approximately 1,000 copies, which were then informally distributed to a wider readership throughout the country. In early summer 1982 a campaign was begun to harass several dissidents, including those prominently involved with "Beszelo". The campaign, which involved following by and taunts from plainclothesmen, lasted for three weeks, but resulted in no arrests or other formal action. Shortly before the official harassment ended, a number of prominent Hungarian intellectuals sent a letter to the Minister of the Interior asserting that this was not how problems should be dealt with in Hungary. In August, several dissidents distributed leaflets which called attention to the presence of Soviet forces and weapons in Hungary to participants in an officially sponsored peace march in downtown Budapest. The police eventually stopped the distribution but made no arrests. In December, the Government stepped up the pressure on the dissidents, searching their homes and confiscating manuscipts and duplicating machines. The popular Tuesday evening samizdat "boutique" was raided on two succeeding weeks. This renewed intimidation was accompanied by a series of notably sharp media attacks against the oppositionist intellectuals and their alleged Western supporters.

Hungarian press, radio, and television are government-owned and centrally managed. They observe current party guidelines, which include the maxim that the role of a journalist is to further the cause of communism. A formal structure of censorship is not needed since writers and editors themselves are presumed to understand the basic premises of domestic and foreign policy. Some carefully nuanced differing views occasionally appear in the press and literature, but they are usually well within the general constraints imposed by the party. Infrequently, Western viewpoints can be heard on Hungarian radio and television. These may be the views of a Western spokesman, broadcast together with those of other participants in a panel discussion, or straight reporting of a Western official's comments on a topical international issue, such as US-Soviet relations or events in Afghanistan or Poland. Hungary does not jam Western radios, and Austrian and Yugoslav radio and television broadcasts reach much of the country. Hungary permits some access to Western literature and films, including some television programs and about forty American films annually. Some Western periodicals are available in limited quantities in Hungary, usually at newsstands frequented by foreigners.

b. Freedom of Peaceful Assembly and Association

Athough the Constitution guarantees freedom of assembly and the right to form associations, these rights are qualified by the need to conform to the "interests of socialism and the people." In practice government approval or tacit acceptance is required for the exercise of these rights.

As noted above, Hungarian dissidents are loosely organized. In December 1979, young intellectuals and professionals formed a group which they called the Foundation for the Assistance of the Poor (known by its Hungarian acronym SZETA). The stated purpose of the group was to raise money and provide financial, legal, and other assistance for the poor within Hungarian society. Their activities included a public auction of works donated by Hungarian artists in December 1980. The group raised approximately $8,000 at the auction for distribution to the poor. Other dissidents meet frequently at an informal "free university" in Budapest, where academicians and dissidents lecture on topics which are not discussed in formal university institutions. In August 1982, approximately 50 individuals participated in an unauthorized rally on behalf of the Polish workers' union Solidarity in a major Budapest square. The four organizers were detained for several hours and released once the event ended. No jail sentences for this or for other dissident activity were known to have been given in 1982.

The Hungarian National Trade Union Council is one of the party's mass organizations and is controlled and directed by the party. It serves the purpose of indoctrinating workers in party policy. It also purports to represent worker interests within certain bounds. The Secretary General of the council is a member of the Party Politburo. He heads council delegations in regularly scheduled meetings with the party leadership and with the Government over labor policy, economic planning, prices, wages, and other economic issues. On the local and enterprise level, the council administers a system of shop distribution of bonus money, profit sharing, enterprise-controlled housing, health care, union vacation plans, and other benefits. Stewards can veto management decisions on personnel actions, plant safety, and other work-related issues which do not comply with collective agreements and labor regulations. Disputed questions are referred to higher authorities for arbitration.

The Hungarian Constitution does not provide for the right to strike, but as a number of Hungarian commentators have pointed out recently, strikes are not prohibited by law. The Secretary General of the council admitted in October 1980 that localized strikes of a few hours' duration had occurred in Hungary due to the failure of management and the local union officials to implement existing agreements. A major work stoppage which has either affected an entire industrial sector or assumed nation-wide proportions has not taken place in over a quarter of a century.

c. Freedom of Religion

Although freedom of conscience and freedom of religious practice are guaranteed in the Constitution, they are subject to restrictions. The practice of religion in Hungary is in principle opposed, but not rigorously impeded by the State. Steadfastly committed to atheism, the authorities for tactical reasons profess the acceptability of believers and non-believers working together in the interest of "socialist society." The Government has generally improved relations with the hierarchies of the major religious denominations, many of which have representatives in the Parliament. Recently the Government agreed to allow a Jesuit-staffed center for meditation and teaching to open in May, 1983 -- the first Jesuit facility in Hungary since the order was officially dissolved in 1950. At the same time, the State appears to be purposefully undermining the future of religion in Hungary by limiting the number of Church-sponsored schools and restricting the hours available for the religious instruction of young people. Religious beliefs can limit the citizen's advancement in government and in society in general.

There are some 19 significant religious denominations in Hungary which are recognized by law, plus several minor sects, such as Jehovah's Witnesses. Sizeable religious groups in Hungary include Roman Catholics (5.25 million), Reformed Calvinists (2 million), Evangelical Lutherans (0.5 million), and Jews (100,000). The total number of persons manifesting some religious belief is estimated at 8.5 million out of a population of 10.7 million.

The Churches do not act as organizing centers for dissent. Dissension did arise within the Catholic Church during 1982, however. The controversy centered on the so-called basic community movement, which accused the Church leadership of being "collaborationist." The Primate criticized the movement and suspended two priests who advocated conscientious objection to military service. Five others were transferred to lesser posts. In June, the Bench of Bishops decided to deny to Father Bulanyi, the acknowledged leader of one segment of the basic communities, the right to say Mass, preach, and administer the sacraments in his diocese. The Hungarian authorities have not detained or arrested any clergy, but approximately a dozen young people have been sentenced to prison terms ranging up to three years for refusing military service.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

All adult citizens are issued an identity booklet and must carry it with them while traveling; they must register with local police when moving from one locality to another. It is possible to transfer permanently from rural areas to Budapest, but this is not encouraged because of overcrowding and a scarcity of housing in the capital.

Hungarian emigration law is restrictive. A person can normally apply to emigrate only if over 55 years of age and joining a parent, spouse, or child abroad. However, the law provides for exceptions in individual cases, and approximately 90 percent of Hungarians who apply to emigrate for purposes of family reunification receive permission. Persons who are refused permission to emigrate may appeal and reapply; reapplications are sometimes successful, particularly if there are special humanitarian considerations. There are no systematic official sanctions, such as loss of employment or of housing, imposed on persons who seek to emigrate, and emigrants may take a modest amount of personal property with them.

Hungary follows a cautiously liberal practice in permitting visits to the West, and eased its travel regulations to Western countries effective January 1, 1982. Some 477,000 Hungarians currently visit the West annually, while approximately 5,070,000 visits are made annually to other Eastern European Warsaw Pact countries. It is possible to pay for trips to Western Europe and beyond, including North America, in Hungarian currency. Hungarian citizens now legally have the opportunity to visit the West at least once a year -- instead of every third year as before -- if relatives or friends abroad pay the costs. The modest hard currency allotment private travellers can receive once every three years to defray hard currency expenses was also increased.

Exit permission for both Hungarian tourists and emigrants can be and occasionally is denied for vague "reasons of state." There are indications that such permission in certain instances has been denied to dissidents in order to induce moderation in their activities. The right of travel remains at the discretion of the State rather than a prerogative of the individual. Persons who have emigrated legally from Hungary have a legal right to return. Persons who leave Hungary as visitors with permission to stay abroad only temporarily and who then fail to return are subject to prosecution and sentencing either in absentia or upon their return. Hungary appears to follow, however, a discretionary practice of treating such persons leniently, if they return. Prosecution may not occur or, when it does, may amount to a formality leading to a suspended sentence. Returnees probably would not be granted the privilege of visiting abroad again for up to five years. Assiduous prosecution and other sanctions, such as deprivation of former employment, sometimes occur. Recently, a young Hungarian dissident writer who remained in the West as a refugee received an eight-year jail term in absentia and his close relative was forced to move into a smaller apartment.

e. Freedom to Participate in the Political Process

Hungary is ruled by a group within the Hungarian Socialist Workers Party. Political participation is not possible outside the party or the party-sanctioned organizations. The Hungarian Constitution states that the Hungarian Socialist Workers (Communist) Party represents the "working class" and the "interests of the whole of the society." The Communist Party uses party-sanctioned organizations such as the Patriotic People's Front, trade unions, and the Communist Youth League to elicit public support.

To an extent the party invites the opinions and recommendations of non-party organizations (for example, from cooperatives' associations) on policy proposals in which they have an interest, but any implementation is at the discretion of the party. It appears that deliberation within the party about proposed policies and actions can be somewhat open, but decisions once made and handed down by the leadership must be loyally followed.

Although more than one-third of the members of the National Assembly are women, there are few women at top levels in the Government or party. Only one of the 19 members of the Council of Ministers and one of the 13 members of the Politburo is female. The party officially espouses the enhancement of the role of women in Hungarian society, but results to date are limited.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Hungarian Government refuses to accept outside charges or investigations of alleged human rights violations on the basis that this is "interference in internal affairs." In contrast to some other East European countries, however, Hungary has shown a willingness to engage in discussions with other countries on all aspects of the Helsinki Final Act, including its human rights provisions. In certain elements of its bilateral dialogue with some other countries, Hungary has been willing to discuss quietly some individual problem cases, particularly cases dealing with emigration. Amnesty International's 1982 report was concerned with restrictions on freedom of expression, imprisonment of conscientious objectors, and the use of the death penalty.

4. Economic, Social, and Cultural Situation

Industrialized and somewhat decentralized, Hungary's economy has many features which are unique in Eastern Europe. Most state-owned enterprises enjoy a high degree of autonomy. Government economic authorities do not as a rule impose specific production quotas on enterprises, but usually rely on macroeconomic policy tools to guide the economy. Some consumer prices, especially for food items, are set largely by free market forces. Professional and skilled workers have extensive employment opportunities, on a part-time or full-time basis, in the private and quasi-private sectors. There are no food shortages in Hungary. Private farming activities have long been encouraged on both state and collective farms. Private farming accounts for about one-third of Hungary's total farm production. Moreover, the Hungarian Government has recently begun encouraging private enterprise-type activities in the consumer services sector and in small industrial enterprises. However, while the significance of private industrial activities is growing, the "private sector" is not expected to become a large component of the Hungarian economy. In short, through the combination of flexible prices and enterprise autonomy, as well as through Government encouragement of private farming within collectivized agriculture, and private enterprise-type activities, Hungary has produced an economic system that is more sensitive to consumer needs than other East European economies.

One area of the consumer sector where Hungary lags behind is in housing. In 1980, there was an average of 1.5 persons per room in Hungarian dwellings. Although this figure reflects overcrowding, it is an improvement over 1970, when the average was about two persons per room. A substantial portion of this improvement in housing conditions can be attributed to the Government's encouragement of private house construction.

A milestone in Hungary's progress toward a more decentralized economic system was achieved on October 1, 1981, when a unified rate of currency exchange for both tourist and commercial transactions was established. The unified rate of exchange is set weekly generally in line with free market rates in Western Europe.

Hungary's standard of living, relatively high for Eastern Europe, is reflected in such measurements as a life expectancy at birth of 70.8 years, an infant mortality rate per 1,000 live births of 23.1, and a ratio of caloric supply available for consumption relative to nutritional requirements of 134 percent. Hungary's population is slowly declining, the average annual growth rate from 1970-1979 was 0.4. Emphasis on education has yielded an adult literacy rate of 98 percent. In 1979, the primary school enrollment ratio was 96 for male children and 97 for female.

ICELAND

Iceland is a democratic social welfare state with the oldest elected parliament in the world, the Althing, which first met in 930. Democratic traditions and ideals are deeply rooted, and there is broad legal and social support for human rights. Elections to the Althing are held at least every four years, and the President of the Republic is popularly elected every four years as well. In the presidential election of 1980, Iceland elected the first woman chief of state chosen by direct popular election anywhere in the world. This was further evidence that Icelanders support the equality of women and their ability to participate fully in the nation's public affairs. In the 1982 municipal elections, women demonstrated real power as a separate political force when four candidates from new feminist parties were elected to city councils in Reykjavik and Akureyri.

Internationally, Iceland is a strong defender of individual human rights. During 1982, the State Lutheran Church and the Icelandic Federation of Labor launched the most successful fund raising appeal in Iceland's history for the relief of the Polish people, and a small but symbolic number of Polish refugees (26) were accepted for resettlement in Iceland.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

In modern times there have been no killings in Iceland for political motives.

b. Disappearance

There have been no allegations of people disappearing because of official or quasi-official actions. Secret arrests, clandestine detention, and quasi-official security forces are unknown in Iceland.

c. Torture

Freedom from torture is guaranteed by law and respected in practice. There have been no allegations of torture in Iceland.

d. Cruel, Inhuman, or Degrading Treatment or Puhishment

Freedom from cruel, inhuman, or degrading treatment or punishment is guaranteed by law and respected in practice. Physical punishment is not practiced. Prisons and jails are modern and clean; health care and diet are excellent. All prisoners are treated the same, except that those convicted of serious crimes are subjected to somewhat stricter security precautions. There is no discrimination by social class, race, sex, or religion. There are virtually no restrictions on family or attorney visits. There have been no executions in Iceland in modern history.

e. Arbitrary Arrest and Imprisonment

Freedom from arbitrary arrest or imprisonment is guaranteed by law and respected in practice. There is habeas corpus; anyone detained must be brought before a judge within 24 hours and charged or released. There is no preventive detention, and there are no political prisoners.

f. Denial of Fair Public Trial

Fair public trial is guaranteed. The courts are under the Minister of Justice for administrative purposes, but are independent of political control, and there are no military or other special courts. Defendants are entitled to legal counsel and the state will pay the fees if the defendant cannot. Defendants may appeal to the Supreme Court. In practice this often results in sentences being modified in the defendant's favor.

g. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice. Judicial warrants are required except in cases of hot pursuit. There have been no allegations of illegal entry or other violations of the home.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and the Press

These freedoms are guaranteed by law and are in effect. Printed materials are not censored except for restrictions on some hard-core pornography. Films are normally distributed without restriction, but scenes that are considered to have extreme violence and sexual perversion may be deleted. The Government makes no attempt to restrict journalistic or academic inquiry. With the help of financial backing from political parties, Iceland has a large number of newspapers for its small population. They are entirely free of government control. In fact, newspapers are subsidized equally by the Government, which is required by law to place its advertisements in all of Iceland's five national daily papers. Limits on criticism of the Government and the political parties by the press are unknown. Radio and television broadcasting are state-owned and operated; their journalists are supposed to be non-partisan and to maintain standards of professional ethics. They are supervised by public boards representing the four major political parties, as well as other interests.

b. Freedom of Peaceful Assembly and Association

There are no restrictions on public meetings except general regulations for public safety for outdoor meetings. Unions, scientific bodies, and professional associations operate freely.

Civil and political liberties in Iceland are fully respected. The labor movement, a dominant social and political force within the country, acts to protect the rights of all workers, a policy backed by advanced and comprehensive public welfare legislation. Democratic processes exist at all levels, assuring the freedom to participate in the political process.

The issue of democracy within the unions occasionally surfaces in Icelandic political debate. Allegations are heard that small cliques perpetuate themselves in power, safe from effective challenge, but these allegations are normally used for partisan purposes. Icelandic unions are highly politicized, with all of the major parties, ranging from the leftist People's Alliance to the conservative Independence Party, in leadership positions. No solid evidence has ever surfaced to suggest that the democratic processes within the unions cannot be fully utilized by any group that chooses to do so.

c. Freedom of Religion

The Lutheran Church is established in the Constitution and is the nominal faith of the vast majority of Icelanders. Other faiths practice freely and without restriction. Religion is not a factor in civil, economic, or political status.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

There is freedom of movement, foreign travel, and emigration. The only practical obstacle to foreign travel is a limit on the amount of money travelers (other than students and emigrants) may take abroad. Many people find this an inconvenience, but it does not seriously impede their business or vacation travel.

There are no restrictions on voluntary repatriation. There are no refugees from Iceland, and forcible repatriation is unknown. Icelanders may emigrate freely, with no discrimination or harassment. There is no discrimination against women or other groups in such matters.

In modern history, Iceland has received three groups of refugees. Following the Hungarian revolt of 1956, fifty Hungarian refugees settled in Iceland. A few of these eventually moved on for their own reasons, but the majority stayed and are completely integrated into Icelandic society. In 1979, Iceland accepted thirty-four Vietnamese refugees. They were received and settled with great care, including comprehensive health care, vocational and language training, and public housing. Many of the Vietnamese are now working and attending school. Iceland has undertaken to accept twenty additional Vietnamese refugees, mainly relatives of those in the first group. In 1982, Iceland accepted 26 Polish refugees for resettlement in Iceland. Six refugees subsequently returned to Poland expressing "dissatisfaction with the Western system." The remaining refugees are said to be adjusting well.

e. Freedom to Participate in the Political Process

There are four major political parties and several minor ones which compete in national and local elections. The parties operate freely and democratically both in their internal workings and in electoral competition. By law, national elections are held every four years, though they may be called more frequently if a Government chooses to resign. The national Government and most local governments consist of coalitions of two or more of the parties, and it is not unusual for completely different constellations of parties to form succeeding governments.

Women are legally equal to men. They may participate freely in social, economic, and political life. Women tend to remain in traditional roles, however. They comprise approximately 40 percent of the work force and are active in every aspect of Icelandic political, economic, and cultural life. As noted above, the President of Iceland is a woman. In the May 1982 national municipal elections, groups of women organized in the capital city of Reykjavik and the major northern city of Akureyri to present lists of candidates. In each city, two women were elected to the councils; in Akureyri, where the feminist slate held the balance of power in forming a coalition government, the feminist first-seat candidate was elected Council President. The long established Women's Rights Association held a conference in 1982 to discuss strengthening the participation of women in town and district political institutions.

Political, professional, economic, and public interest groups of all kinds exist and are encouraged by the Government. Many of these advocate issues or philosophies which may be in opposition to a particular Government or political party. There are a few extremist groups on the political fringes. They are small, non-violent and tolerated by the public and the Government. There are no significant problems regarding nationality, citizenship, or statelessness.

3. Government Attitude and Record Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Iceland is signatory of both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights. Iceland has permanent representation on the European Human Rights Commission of the Council of Europe and a judge on the European Human Rights Court. No requests have been made for outside investigation of the human rights situation in Iceland. There are several human rights organizations active in Iceland including Amnesty International and groups monitoring compliance with the Helsinki Final Act and dissident activities in the Soviet Union and Eastern Europe. These groups focus almost all their attention and resources on problems in foreign countries.

The State Lutheran Church has taken a leadership role on human rights issues, in addition to raising money for the Polish people. In September 1982 the Bishop of Iceland was asked by the four political parties to address a vigil for the victims of the massacre in Beirut. A special committee emphasizing human rights on El Salvador was established in the spring of 1982, but it has not been active. There is some effort to improve further the participation by disadvantaged groups, such as the mentally and physically handicapped, in Iceland's social welfare programs. There are also feminist organizations which work for women's rights and particularly for greater participation by women in the political process and economic and social organizations. These groups are encouraged and supported by the Government and the political parties.

4. Economic, Social, and Cultural Situation

National policy stresses full employment and provision of decent social services, education, and housing. Education through the university level is free. There are extensive programs to encourage private ownership of homes and to provide a comprehensive system of medical and dental care, as well as necessary social services, for the entire population. A social welfare state on the Scandinavian pattern, Iceland has comprehensive programs of old age and disability pensions, unemployment compensation, sickness insurance, and child and family care. Infant mortality is only 9.67 per 1000 births. Economic, health, and social standards are among the best in the world, on a par with the Scandinavian countries and the middle class in the United States, with life expectancy at birth of 73.0 years for males and 79.2 years for females. There is virtually no poverty, illiteracy, or unemployment. The per capita income is approximately $8,400.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: ICELAND

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
OTHER US LOANS..........	7.6	0.0	0.0
EX-IM BANK LOANS.......	7.6	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	48.7
IBRD	0.0	0.0	0.0	47.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	1.6
OTHER-UN	0.0	0.0	0.0	0.1
EEC	0.0	0.0	0.0	0.0

IRELAND

Ireland is a parliamentary democracy which attaches great importance to the observance and maintenance of human rights. Individual liberties and civil rights are guaranteed by the Constitution. Ireland plays an active role in human rights questions in the United Nations and places strong emphasis on human rights in its foreign policy.

The growth of terrorist activities associated with the civil unrest in Northern Ireland has led to cooperative efforts by the Irish and British governments to combat terrorism. Under Irish law, the courts determine whether an individual in a specific case may be exempted from extradition if he claims his offense is "political". However, in a land-mark case the Supreme Court in December 1982 rejected such a plea from a man who had admitted committing a murder in Northern Ireland on behalf of the Provisional Irish Republican Army. The Court's decision, in ordering his extradition to Northern Ireland, has been interpreted as reflecting a considerable evolution in Irish thinking and concern about terrorist violence.

A recent rise in the crime rate country-wide has led to calls for heightened police activity, but emphasis continues to be placed upon the legal and constitutional rights of the accused.

Over the past two decades consecutive governments have promoted rapid industrialization and economic growth, and various inducements have attracted a significant amount of industrial investment from overseas. Although industrial output now accounts for over 40 percent of Gross National Product and 30 percent of the nation's jobs, per capita income in Ireland remains among the lowest in the European Community.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

The Irish authorities do not engage in politically motivated killings which have occurred from time to time in the Republic as a spillover from the violence in Northern Ireland. In these cases responsibility has been claimed by such groups as the Provisional Irish Republican Army (PIRA) and the Irish National Liberation Army (INLA), membership in which is illegal as an offense against national security. Police officers have been killed while exchanging gunfire with members of the INLA. Irish Government policy is committed to using the full force of law and the full resources of the state against both organizations.

b. Disappearance

People are not abducted, secretly arrested, or held in clandestine detention by the Irish authorities, nor does the Irish Government condone such practices.

c. Torture

Freedom from torture is guaranteed by the Constitution and respected in practice.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Constitutional protections against such conduct are observed. There are no summary executions and no discrimination in treatment of prisoners due to race, religion, sex, or social class. Conditions in places of detention generally are good to adequate, although several prisons are overcrowded.

e. Arbitrary Arrest and Imprisonment

The Irish Constitution states that deprivation of personal liberty shall be only in accordance with law and provides for habeas corpus. These guarantees are adhered to by the Irish authorities. There are no political crimes under Irish law and, therefore, no political status for convicted persons. A number of those convicted for terrorist offenses are members of the PIRA and other illegal organizations.

f. Denial of Fair Public Trial

Fair public trial is guaranteed by the Constitution and respected in practice. The courts are independent of executive and military control. The Offenses Against the State Act of 1939 established separate courts (provided for in the Constitution) that may try persons for offenses against national security. The use of such courts is strictly limited in practice. Trial is by a panel of judges, not by jury. The verdict is by majority vote. Rules of evidence generally are similar to those of regular courts, but the statement of a police chief superintendent that the accused is a member of an illegal organization is considered evidence of such membership. Court sessions are usually public, but may exclude certain persons, except genuine press representatives. There is provision for free legal aid and appeal of conviction. Amnesty International's 1982 Report expresses some concern about the denial of an appeal on technical grounds of a man convicted before such a court in 1980. The denial of appeal carried with it the right to appeal the denial, however, and the case is still under court review.

g. Invasion of the Home

Freedom from invasion of the home is guaranteed by the Constitution and respected in practice. Search warrants are required for entry to private property and are issued by district justices, peace commissioners, and police superintendents.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These freedoms are guaranteed by the Constitution and respected in practice. The Constitution provides that the state will endeavor to ensure that organs of public opinion, while preserving liberty of expression (including criticism of government policy), shall not be used to undermine public order, morality, or the authority of the state. The Constitution provides further that "publication or utterance of blasphemous, seditious or indecent matter" is an offense punishable by law. Materials considered to be pornographic are censored.

b. Freedom of Peaceful Assembly and Association

This is fully guaranteed by the Constitution and is respected in practice. Certain terrorist organizations, however, are illegal, and membership in them is an offense against national security. The most notable among these groups are the PIRA and the INLA, both of which have employed violence and seek radical change in the present form of government in Ireland. Political parties or groups associated with such organizations, however, are not proscribed.

c. Freedom of Religion

Ireland is 94 percent Roman Catholic. The Constitution recognizes the "special position" of the Catholic Church, but the separation of powers between church and state, which had existed before Irish independence in 1921, remains in effect. The Constitution guarantees freedom to all religious groups. Freedom of religion is respected in practice.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There is complete freedom of movement within all parts of the country, and freedom of foreign travel, emigration and repatriation. To the degree that its resources permit, Ireland has accepted refugees. Ireland received 212 Vietnamese refugees in 1979-80 and an additional 28 Vietnamese refugees in 1981. (For the most part, they were relatives of persons admitted previously.)

e. Freedom to Participate in the Political Process

All Irish citizens may participate fully in the democratic, multi-party political system. The labor movement is free and strong, with government workers having the right to strike. There are 88 independent trade unions registered in Ireland, and a substantial portion of workers are organized in them. The Irish Congress of Trade Unions coordinates the work of most of the trade unions. The Federated Union of Employers is broadly representative of management in the private sector. Ireland is a traditional society, but in recent years women have begun to play an increasingly important role in Irish life. They are represented in growing numbers in positions of executive, legislative, and judicial authority, as well as in business and labor organizations. The increasing presence of women in the work force is a phenomenon which has taken place more recently in Ireland than in many other Western societies, and is linked to the necessity of providing supplementary family income, rather than to any change in their legal status.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Irish Government has cooperated with independent outside investigations of alleged human rights abuses. Amnesty International is quite active in Ireland, adopting "prisoners of conscience" in Europe, Asia, Africa and Latin America. Because of the nature of the special courts described in Section I(f) there has been, as noted, some concern expressed by Amnesty International about their conduct. Observers, however, have been given free access to such trials. In this way, as well as through the right of appeal, the rights of the individual in such trials are safeguarded.

4. Economic, Social, and Cultural Situation

Successive Irish Governments have successfully promoted industrialization and diversification, raising living standards considerably. The population in 1982 totalled approximately 3,400,000 and is growing at 1.5 percent per annum. Life expectancy at birth is 72.8 years, and the infant mortality rate is 12.4/1,000. The primary school enrollment ratio is 104 percent. The ratio of calorie supply available for consumption relative to nutritional requirements is 174 percent. The adult literacy rate is 98 percent. Estimated per capita income in 1982 was approximately $5000.

Over the last two years Ireland has been hurt by rising unemployment (13.1 percent in September 1982) and a high rate of inflation (21 percent for 1981). Nonetheless, the people of the country enjoy more than adequate access to food, shelter, health care, and education. These services are available without regard to race, religion, sex, ethnic background, or political opinion. People whose means are inadequate and who are not entitled to other benefits may receive pensions or other payments from public funds.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: IRELAND

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
OTHER US LOANS..........	12.8	27.0	0.0
EX-IM BANK LOANS.......	12.8	27.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	151.2
IBRD	0.0	0.0	0.0	150.4
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	0.7
OTHER-UN	0.0	0.0	0.0	0.1
EEC	0.0	0.0	0.0	0.0

ITALY

Italy is a modern democratic state having a parliamentary system of government, with executive authority concentrated in the Cabinet of Ministers. Since 1947, the Government has consisted of Christian Democrats or, more often, of a coalition of parties which has included them as the dominant element. The President, indirectly elected, serves as Chief of State; the Prime Minister is head of Government. Italy has an industrialized market economy which ranks among the top ten in the world in GNP. The economy is characterized by sizeable government ownership of industry, particularly in the primary sectors, and by a dynamic private sector, especially at the level of medium and small companies. The Italian Constitution, a document drafted after World War II and influenced by Catholic social thought and social democratic theory, as well as by a desire to guard against a return to authoritarian rule, gives a prominent place to political and civil liberties.

Despite continuing terrorist violence aimed at bringing about political and social disruption, political and civil liberties are fully respected by the State. These liberties are, however, violated frequently by terrorist organizations on both the left and the right. The past year has seen an increased effort by the Italian Government and its law enforcement agencies against the terrorist threat and against organized criminal elements such as the Mafia.

While terrorism and organized crime have by no means been defeated in Italy, successes during the past year indicate that the problem is being more effectively dealt with. This may signficantly increase the security of human rights in Italy in the long run, although in the immediate future it could provoke further violations by both terrorist and criminal elements.

1. Respect for the Integrity of the Person, including Freedom from:

a. Killing

There have been approximately 15 terrorist murders identified in the past year (as well as some 30 attempted assassinations and over 40 bombings). In general, the terrorist groups of the left justify their actions by claiming to oppose a "fascist" or "imperialist" state against which they are morally free to take violent measures. In doing so, they hope to provoke Italian law enforcement into over-reactions that will polarize the citizenry. Right-wing terrorists also hope to provoke a crisis that will eliminate the democratic system. Foreign terrorist organizations are also occasionally active in Italy. There are indications that various domestic terrorists have received some support from outside the country, most particularly from Palestinian extremist groups and Libya, and there have been allegations of direct or indirect Eastern European support. Organized criminal elements, mainly in Sicily and the South, have engaged in significant numbers of murders. In Sicily it is assumed that the great majority of almost 150 killings in Sicily (1982) are Mafia-related. Most noted were the assassination of prefect Dalla Chiesa and his wife and driver on September 3, 1982, and of the Sicilian Regional Secretary of the Italian Communist Party, Pio La Torre, on April 30, 1982. In the province of Naples there were over 200 murders in the first nine months of 1982, most attributed to organized crime.

b. Disappearance

There have been no cases of disappearance in Italy linked to or condoned by the State or its agents. People are, however, frequently seized in Italy by gangsters or by political terrorist groups. The most noted case was that of US Brigadier General Dozier who was held prisoner by the Red Brigades from December 17, 1981 until he was rescued on January 28, 1982. In Palermo province, over 100 people were estimated to have disappeared in 1982 as the result of Mafia activity.

c. Torture

Freedom from torture is guaranteed by law and is respected in practice. Occasionally people arrested on terrorist charges have accused government agents of torture. The most recent occasion coming to public attention was that involving several of the terrorists who had held US Brigadier General James Dozier prisoner. These charges of mistreatment are under investigation.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Cruel, inhuman, or degrading treatment or punishment is forbidden by law and is not practiced. Conditions in places of detention vary but do not constitute a form of intentionally degrading treatment. Prisoners charged or convicted of terrorist acts are generally held separately from ordinary criminals. No invidious distinctions are made among prisoners on the basis of social class, race, sex, or religion.

e. Arbitrary Arrest or Imprisonment

Police procedures in Italy are carefully circumscribed by law and judicial oversight, and arbitrary arrest is not an Italian practice. While habeas corpus is not a provision of Italian law, the rights of prisoners are protected by other law and procedural safeguards. Detention in Italy without charge cannot extend beyond 48 hours. Pre-trial detention after charges have been made varies according to the gravity of the crime; the maximum period is almost three years before the initial trial. (Detention through all possible appellate procedures in some cases could theoretically extend for as much as ten years before a final verdict.) At present the number of people being held awaiting trial is approximately 20,000, of whom 500 to 600 are being held on terrorist charges.

f. Denial of Fair Public Trial

Counsel is mandatory and is provided free if necessary. Clear charges must be made by the magistrate within 48 hours of arrest. The judiciary is independent of the executive. There are no political or security courts, and civilians cannot be tried by courts martial unless martial law is declared. With the exception of courts martial decisions in time of war, all cases can be appealed to the Court of Cassazione (the highest court of appeal).

g. Invasion of the Home

Freedom from arbitrary invasion of the home is respected in practice. Warrants are required of officials to enter a private residence and are issued by the procuratore generale or the competent magistrate of the locality. The same authorities may also authorize electronic monitoring in certain limited instances. No illegal searches or other violations of the home are known to have occurred during the past year.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Italian press exercises its constitutional guarantees of freedom and gives play to the full spectrum of political views, both governmental and opposition. Prior censorship or review of the press is forbidden by law. Publications may be seized for violations of the law against obscenity and defamation of state institutions or political or ecclesiastical leaders. This provision is interpreted narrowly, and it does not restrict to any meaningful degree the expression of political views or criticism.

While government radio or television broadcasting networks exist, they too are open to a wide spectrum of views. In addition many private radio and television broadcasters compete vigorously, including on political topics. There is no governmental interference with academic inquiry.

b. Freedom of Peaceful Assembly and Association

The right of Italian citizens to assemble publicly may not be denied except for reasons of security or public safety and is respected in practice. The right of unions to organize, negotiate, and strike is fully protected as is the right of free association of Italian citizens in general. Unions are not under government control. Labor unions and professional associations freely and frequently exercise their rights of assembly and maintain relations with recognized international bodies in their fields. Unions claim that almost half of the workforce is unionized.

c. Freedom of Religion

The Constitution specifically provides that the State and the Catholic Church will each, in its proper sphere, be considered independent and sovereign, and that the relationship between them be governed by the Lateran Treaties of 1929. Also all religious groups have the right to organize according to their own requirements, so long as these do not offend public order. Individuals have the right to profess any religious faith, to convert, to proselytize for that faith, and to exercise their religion in public or in private. Adherence to a particular faith does not confer special advantages or disadvantages.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Italian citizens have the right to travel freely within the country, to go abroad, and to return. (An exception is applied to the former King of Italy, his wife, and male descendants, who are not allowed to enter Italian territory.) Deprivation of citizenship for political reasons is unconstitutional and is not practiced. There are no restrictions on emigration. Italy grants permanent residence to numerous political refugees. No instance is known in which political refugees have been forced to return to homelands from which they have fled.

e. Freedom to Participate in the Political Process

Italy is ruled democratically by its citizens through their elected representatives. Citizens have a large choice of parties to support ranging from various Communist parties to right wing parties. (The Fascist party as such is outlawed by the Constitution.) Elections are free. Both chambers of parliament and regional and municipal councils are elected periodically. Opposition groups frequently manage to defeat government proposals. Women and minorities take an active part in the governing structure. There are some limited problems of nationality -- the most important being the continuing question of the rights of German-speaking population of South Tirol or Alto Adige.

3. Governmental Attitude Regarding International and Non-governmental Investigations of Alleged Violations of Human Rights

The Italian Government has a good record in support of human rights throughout the world and participates fully in the appropriate international and regional human rights bodies. Human rights bodies are free to investigate and comment on conditions in Italy. In addition to political parties and religious groups, there is an active branch of Amnesty International. Amnesty has expressed concern that suspects have been held for judicial investigation for excessive periods. It also objects to the Italian practice of considering conscientious objectors to military service to be military personnel subject to military law. (The current Government has approved a bill which, if passed, would further relax the restrictions governing conscientious objectors.) Among the various organizations concerned with human rights in Italy are the Comitato Consultivo Italiano Per I Diritti Dell Uomo, the Instituto di Diritto Umanitario, and Caritas Internationalis. The Italian Government welcomes the interest of and cooperates with international and regional human rights bodies. Freedom House calls Italy "free".

4. Economic, Social, and Cultural Situation

The Government pays special attention to the South, where economic and social development has historically been slower than in northern Italy. While there are also ethnic and language groups which the Government recognizes as requiring extra assistance, economic and social services of the Government are available to all regardless of race, religion, sex, ethnic background, or political opinion. As a country possessing an industrial market economy, Italy encourages the ownership of property alone as well as in association with others. Italy is a prosperous relatively developed country with a healthy population numbering 57,510,000 (1981). The growth rate in 1980 was 0.7 percent. Life expectancy at birth was 73.1 years and the infant mortality rate per 1,000 live births was 14.3 in 1981. The adult literacy rate was 98 percent in 1976. Primary school enrollment ratio was 102 percent (1979). The ratio of calorie supply available for consumption relative to nutritional requirements was 136 percent (1977). The GNP per capita in 1980 was $6,487.10.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: ITALY

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	3.0	4.7	52.2
LOANS...............	0.0	0.0	0.0
GRANTS..............	3.0	4.7	52.2
A.AID	3.0	4.7	52.2
LOANS...............	0.0	0.0	0.0
GRANTS..............	3.0	4.7	52.2
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	3.0	4.7	52.2
LOANS...............	0.0	0.0	0.0
GRANTS..............	3.0	4.7	52.2
OTHER US LOANS..........	330.9	1.7	0.0
EX-IM BANK LOANS.......	330.9	1.7	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	399.6
IBRD	0.0	0.0	0.0	398.0
IFC	0.0	0.0	0.0	1.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	0.2
OTHER-UN	0.0	0.0	0.0	0.4
EEC	0.0	0.0	0.0	0.0

LUXEMBOURG

Luxembourg is a parliamentary democracy under a constitutional monarchy. Executive power is exercised by the Grand Duke and the Council of Government (cabinet), which consists of a president of the government (prime minister) and several other ministers. Legislative power is vested in the Chamber of Deputies, elected directly to 5-year terms. Luxembourg's economy is that of a highly developed industrialized country. It is a free enterprise system with heavy emphasis on agriculture, steel production, service industries (especially banking) and radio-television broadcasting. During 1982 Luxembourg experienced worsening economic circumstances and increased unemployment.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Killing for political motives by the Government or opposition political organizations is unknown in Luxembourg. There are no indigenous terrorist organizations in the country, and there have been no major violent terrorist acts during the past year.

b. Disappearance

Official abduction or secret arrest do not occur.

c. Torture

Torture is prohibited by law and is not practiced.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Treatment of prisoners is exemplary. A new, modern prison was scheduled to open in late 1982.

e. Arbitrary Arrest and Imprisonment

There are no prisoners in Luxembourg being detained in disregard of due process of law. Habeas corpus exists and is respected. Preventive detention does not exist. The law permits detention without charge for up to 24 hours following arrest.

f. Denial of Fair Public Trial

Luxembourg has an independent judiciary. Defendants have the full range of internationally recognized legal rights and protections. The judiciary is free from executive or military interference, and there are no military or special courts. There is the right of appeal.

g. Invasion of the Home

Police must have warrants, issued by the judiciary, to enter a private home. No forced entry has been alleged. Luxembourg's statutes prohibit other violations of the home.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Constitution guarantees freedom of speech, press, religion, and assembly. Except for restrictions against pornography, there is no media censorship. There is no intimidation by the Government of individuals or media organs criticizing it, and the Government does not interfere with academic inquiry. There are no limitations on orderly public meetings.

b. Freedom of Peaceful Assembly and Association

Unions have the right to organize, negotiate, and strike, although by tradition strikes are rare in Luxembourg. Unions participate in a tripartite arrangement with government and management in the decision-making process on major economic issues. Virtually the entire work force is unionized. Unions and professional groups freely maintain contacts with international bodies in their fields. Free assembly is not restricted.

c. Freedom of Religion

Luxembourg does not have a state religion, and there is no discrimination against practitioners of minority religions.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

There are no unusual restrictions regarding movement within Luxembourg, foreign travel, or emigration and repatriation. Luxembourg has a liberal refugee and asylum policy in principle, but admits only limited numbers of refugees.

Foreigners applying for residence tend to be judged on the value of their skills and their means. An exception to this was Luxembourg's acceptance of over 100 Vietnamese refugees in 1979/80. Once admitted into Luxembourg, refugees are well treated.

e. Freedom to Participate in the Political Process

Luxembourg is a parliamentary democracy, in which all citizens at least 18 years of age can vote. Luxembourg's sizeable foreign resident population (26 percent) does not have the right to vote, although it enjoys the rights of free speech, press, assembly, movement, and religion. Significant numbers of women hold political office, including the Foreign Minister and the Mayor of Luxembourg.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The current and prior Luxembourg governments have supported international and non-governmental investigation of alleged violations of human rights. The Red Cross, Amnesty International, and the UN High Commissioner for Refugees have representatives in Luxembourg.

Although Luxembourg is a strong advocate for the respect of human rights internationally, the Government recognizes that Luxembourg's small size generally precludes it from directly influencing international and regional human rights bodies. Instead, Luxembourg consistently advocates its support for human rights in the Council of Europe and the European Communities and works toward developing a pro-human rights EC consensus and policy. Freedom House rates Luxembourg among the "most free" nations.

4. Economic, Social, and Cultural Situation

Luxembourg is a small country (population: 354,000 in 1979) with a very high standard of living, as shown by per capita GNP statistics ($12,820 in 1979) and by the usual physical indices of a wealthy society -- good hospitals, many doctors, 99 percent literacy (1970), good primary and secondary schools, lack of any substantial poverty, and low unemployment. Steel dominates the economy and in 1980 accounted for 58 percent of all exports. Luxembourg has a large foreign population (26 percent of the total in 1980). Although immigration is low, the foreign population is growing, while the native Luxembourg population is declining. Overall, Luxembourg has one of the few negative growth rates in the world, with an average of only 1.4 children per couple. The infant mortality rate in 1981 was 11.5 per 1000. These demographic trends lead to a rapidly aging population, with a life expectancy at birth of 72.3 years (1980).

MALTA

Malta is a constitutional republic with a parliamentary government elected by universal suffrage. However, the Nationalist Party has been boycotting parliament in a political protest since the last election in December 1981. Although the ruling Labor Party received 49 percent of the total vote, versus 51 percent for the Nationalists, redistricting resulted in majority of parliamentary seats for Labor. The Nationalist Party accused their opponents of gerrymandering and refused to take their seats. On April 26, 1982 Nationalist members of the parliament were declared unseated by the speaker. The Nationalists refused to accept this unseating and since then the parliament has been functioning as a one-party body dominated by the Labor Party. The President serves as Chief of State, and direction of the executive is exercised by the cabinet under the leadership of the Prime Minister. There are 65 seats in parliament. Malta is a member of the British Commonwealth.

Reflecting an established tradition of respect for legal norms, the Maltese Constitution states that every person in Malta is entitled to fundamental individual rights and freedoms regardless of race, place of origin, political opinion, color, creed, or sex. The threat to these generally observed standards exists primarily in Malta's intensely partisan political disputes, which affect negatively even vital non-political institutions such as the judiciary, the National Broadcasting System, hospitals, and schools. The functioning of superior courts was suspended by the Government for several weeks in early 1981. Since the last elections, there has been a series of boycotts and counter-boycotts affecting advertising, television, and the use of certain products. The passage of the Foreign Interference Act on September 1, 1982, was a clear attempt by the Government to exert centralized control over foreign informational and cultural activities. In an act of civil disobedience inspired by the opposition on June 29, 1982, thousands of Maltese did not go to work for one day. The response of the government was to label this an illegal strike and to deprive those who had participated of the chance to go back to work. In some cases businesses were closed completely. Gas station owners, for example, were not allowed to purchase gas. On August 8 the Prime Minister decided that "as an act of mercy," he would allow most of those who had participated in this act of civil disobedience to return to work -- after six weeks of unemployment. Since then there has been no repetition of such civil disobedience.

The Constitution guarantees social rights in principle and in practice.

1. Respect for Integrity of the Person, Including Freedom from:

   a. Killing

There have been no killings for political reasons in Malta during 1982.

   b. Disappearance

There have been no incidents of unexplained disappearances from the actions of official or official-inspired organizations.

c. Torture

The Maltese Constitution prohibits inhumane or degrading punishment. Torture is not practiced by the Government of Malta.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Freedom from inhuman or degrading punishment is provided for in the Constitution and generally is respected in practice. However, there have been rumors of physical mistreatment of prisoners during interrogation by police. The approximately 100 persons who make up Malta's total prison population are provided with adequate living space, food, health care, and recreational opportunities on a nondiscriminatory basis.

e. Arbitrary Arrest and Imprisonment

Freedom from arbitrary arrest or detention is provided for in the Constitution and respected in practice. There are no political prisoners. People can be and are held for 48 hours of "questioning" without being charged with any crime. The right of habeas corpus is guaranteed by the Constitution.

f. Denial of Fair Public Trial

A fair public trial before an impartial court is provided for in the Constitution and is respected in practice. Malta allows no secret trials, and the Judicial system is fair. The Constitution provides for an independent judiciary, and there is an appeals court. A Court Reform Act passed in 1981 imposes new limits on the jurisdiction of the courts, particularly in regard to oversight of administrative actions by the Government. Malta's system of military justice was taken over intact from the British forces. Only military personnel are subject to this system, and there are provisions for appeal to civilian courts.

g. Invasion of the Home

Protection for privacy of the home is provided for in the Constitution and is respected in practice. Police searches of homes or private premises require warrants, issued only after proper administrative review. These provisions are respected, and any irregularities would be subject to immediate scrutiny through the press.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These freedoms are guaranteed by the Constitution and are respected in practice, with the important exception of radio and television broadcasting. Broadcasting is completely controlled by the Government of Malta which makes no pretense of evenhanded coverage of the opposition. The Government of Malta has gone so far as to seek to apply this policy extraterritorially, by insisting that the Government of Italy close down an opposition station broadcasting from Sicily. With respect to printed new media, the opposition Nationalist party press is active and wide-ranging in its criticism of government policy.

b. Freedom of Peaceful Assembly and Association

The right to peaceful assembly is guaranteed under Maltese law and fully exercised in practice. Workers exercise the freedom to set up trade union associations.

c. Freedom of Religion

The right to practice the religion of preference is guaranteed and respected. There are no restrictions on the conduct of religious services of any denomination. The overwhelmingly dominant religion is Roman Catholicism.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Neither domestic nor foreign travel is circumscribed. Freedom of movement, foreign travel, and emigration are guaranteed and respected.

e. Freedom to Participate in the Political Process

There is a high degree of participation in Malta's democratic political system. Voting is not compulsory, but approximately 95 percent of eligible voters cast ballots during the 1981 parliamentary elections.

Very few women participate at the upper levels in Malta's political life, except for the President of the Republic who is a woman. One of the 34 members of the House of Representatives is a woman. Both the Malta Labor Party and the Nationalist Party have active women's organizations, which are increasingly playing a prominent political role.

There is an active trade union movement representing approximately one-third of the labor force. Approximately 70 percent of trade union members belong to the General Workers Union, which is formally integrated with the governing Malta Labor Party. The General Workers Union disseminates information and organizes political rallies in support of the Malta Labor Party. The present Government has a number of former General Workers Union officials in its ranks. Most of the remaining unions are affiliated with the Independent Confederation of Trade Unions. There are also independent, company-based unions.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

No requests are known to have been made for outside investigation of the human rights situation in Malta. Freedom House in its 1982 report rates Malta as "2" in political rights and "3" in civil liberties, on a scale of 1 to 7, with "1" being "most free" and "7" being "least free".

4. Economic, Social, and Cultural Situation

The Constitution declares that availability to citizens of the highest grades of education and social welfare are fundamental aims of government. Both government and opposition are committed to pursuit of these aims and to support of the basic economic rights to own property, to work with just conditions and remuneration, to a standard of living adequate for health and well-being, and to universal education. In 1980, per capita income was $3,467.

Maltese public education is free, nondiscriminatory and extensive in relation to Malta's limited resources. The literacy rate is nearly 90 percent, and education is compulsory to age 16.

Traditionally, general standards of health care in Malta are relatively high. In 1980 life expectancy at birth was 71.7 years. Government programs in health care have concentrated on providing inexpensive health services to the largest possible segment of the population (infant mortality is low: only 15.5 per thousand live births), but a prolonged labor dispute between the Government and the medical association has led to the departure from Malta of many local doctors, and the remaining church-run private hospitals have been closed by the Government.

Women participate freely in social and political life and continue to expand their economic role, although they are under-represented in the professions and management. There are traditional legal limitations on women's property rights within marriage which derive from traditional Maltese social values and traditional notions of women's property rights. Limitations on public sector employment of married women were removed in 1981. Strong private sector demand for female labor has ensured a very low level of unemployment among women, who constitute about 27 percent of the labor force. Public economic and social services are extended on a nondiscriminatory basis.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: MALTA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS.......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER.............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
OTHER US LOANS..........	0.0	93.0	0.0
EX-IM BANK LOANS.......	0.0	93.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	3.6	0.2	0.0	16.5
IBRD	0.0	0.0	0.0	6.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.6	0.2	0.0	7.4
OTHER-UN	0.0	0.0	0.0	0.1
EEC	3.0	0.0	0.0	3.0

THE NETHERLANDS

The Netherlands is a parliamentary democracy under a constitutional monarchy. Its political system allows the maximum expression of diversity of opinion consistent with public order. Its socio-economic system is structured to provide a relatively high level of health and educational benefits and to redistribute national income significantly.

The Dutch observance of internationally recognized human rights is based on deep-seated and widely-shared concepts of human dignity and respect for law. The Netherlands has a long and consistent tradition of respect for human rights.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Killing for political motives by government or domestic opposition political groups does not occur in the Netherlands. However, incidents involving Irish and Moluccan terrorists have taken place in the recent past in the Netherlands.

b. Disappearance

Abductions, secret arrests, and clandestine detention by police or other official security forces do not occur.

c. Torture

Freedom from torture is guaranteed by law and respected in practice.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Freedom from cruel, inhuman, or degrading treatment or punishment is guaranteed by law and respected in practice. Prison conditions and places of detention are adequate, and no differentiation of treatment of prisoners is made by type of conviction, social class, race, sex, or religion.

e. Arbitrary Arrest and Imprisonment

Freedom from arbitrary arrest and imprisonment is guaranteed by law and respected in practice. No persons presently are detained in disregard of established principles. The equivalent of the right of habeas corpus exists in practice. Preventive detention is not permitted except in time of emergency, which may be declared for a limited duration by national or municipal authorities. Municipal authorities in the past have declared such emergencies in instances when disorderly demonstrations have been perceived to threaten the public welfare. Normally, however, a suspect can be held without charge no more than six hours.

f. Denial of Fair Public Trial

The right to a fair public trial is guaranteed by law and respected in practice. Defendants have the right to effective counsel. Charges must be formally and clearly stated. The judiciary is independent of the executive and the military. There is a functioning appeals process, with final decisions made by the Supreme Court.

g. Invasion of the Home

Freedom from invasion of the home is guaranteed by law and respected in practice. A formal search warrant issued by a magistrate is required to enter a private residence. The Government does not engage in violations of the home.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech and press are in effect. There is no system of censorship. The press is privately-owned and independent. The two domestic television channels are government owned and broadcast time is allocated to private broadcasting societies. Opposition viewpoints are freely aired.

b. Freedom of Peaceful Assembly and Association

The right to public meetings and free assembly is not restricted. There is an active trade union movement, with nearly a century of tradition, which has the legal right to strike. The rights of unions to organize and to bargain collectively are well established and protected under law. They also lobby effectively in Parliament and with the Government.

c. Freedom of Religion

There is full freedom of religion, which is a centuries-old, well-established tradition in the Netherlands.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There is freedom of domestic and foreign travel, emigration, and repatriation in the Netherlands. Restrictions are not placed on residence. The Netherlands also has provided a home for 24,000 exiles and refugees since World War II. During 1981, nearly 1,500 refugees were admitted, the majority of whom are Vietnamese. A well-organized system of welcome, orientation, and assistance exists to facilitate their integration into Dutch society. The Dutch traditionally have regarded their country as a haven for refugees, political exiles, and displaced persons.

e. Freedom to Participate in the Political Process

Political life is carried out in a highly democratic fashion. The political opposition is alive, well, and active. Elections are free. There are over 20 political parties, 12 of which are represented in Parliament. Political participation in terms of voter turnout is high. Women enjoy the same political rights as men and are increasingly active participants in political life.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The issue of outside investigation has not arisen with regard to human rights in the Netherlands. In addition to national offices of Amnesty International and the International Commission of Jurists, there are in the Netherlands approximately a dozen permanent organizations monitoring human rights, many of which receive government assistance in one form or another. The Netherlands Government is active in the United Nations Human Rights Commission and in other organs of the United Nations.

4. Economic, Social, and Cultural Situation

The Netherlands enjoys a high per capita income (about $10,000) -- and is an affluent country. The Government pursues policies designed to ensure a relatively equitable distribution of income throughout the economy. There is little class distinction. Population growth in the Netherlands is less than one percent annually. The total fertility rate is 1.6 children per family (1979). Extensive welfare programs assure adequate health care and shelter for those with low incomes. The life expectancy at birth is 75 years, and the infant mortality rate is 8.5 per 1000 live births. The economy remains strongly capitalist, although with substantial intervention by the Government for the purpose of redistributing income. A common education system serves all economic levels. Education is required up to age 16 and is free to age 18. The literacy rate in the Netherlands is 99 percent.

The right to own property alone and in association with others is protected. In recent years women have succeeded in achieving greater equality with men in terms of employment status and promotions. The Government pursues equal rights (including special considerations for women, for minority groups and for the economically disadvantaged) through legislation and effective government procedures to ensure compliance. Tens of thousands of people from former Dutch colonies and other former colonial areas have emigrated to the Netherlands, where many have acquired Dutch nationality and thereby have become permanent members of Dutch society. These ethnic minorities, along with emigrant workers from non-western European countries who have become temporary residents, face some discrimination in housing, employment, education, public accommodations, and social acceptance. These problems, which stem from individual attitudes and not from official government policy, appear to be on the increase. Discrimination because of race, color, or religion is prohibited by law. The Government is preparing a constitutional change reinforcing these prohibitions. In addition, there is currently before the Parliament a draft law which would impose specific penalties for various forms of discrimination because of sex, sexual inclination, or legal status in the fields of education, work, and legal treatment.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: NETHERLANDS	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS.......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER.............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	236.7
IBRD	0.0	0.0	0.0	236.5
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	0.0
OTHER-UN	0.0	0.0	0.0	0.2
EEC	0.0	0.0	0.0	0.0

NORWAY

Norway has a strong egalitarian tradition, a highly developed education and social welfare system, and one of the world's highest standards of living. It has been a strong supporter of human rights in the world.

Under a constitutional democratic system, Norway's Government assures that the human rights of all of its citizens are protected. The Norwegian Government changed in October 1981 as a result of a regular quadrennial election. The new Government continues Norway's fundamental support of human rights, which has wide backing among all of Norway's major political parties.

The homogeneous Norwegian people have had some difficulty, however, adjusting to the limited number of guest workers and refugees who have settled in Norway in recent years. The Government is taking action to ensure that these minority groups are not discriminated against. Discrimination against minority groups is not condoned by the Government in practice or under Norwegian law.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Politically motivated killings have not occurred in the recent past in Norway.

b. Disappearances

Secret arrests or detentions do not occur in Norway.

c. Torture

Torture is expressly forbidden under the Constitution. That prohibition is scrupulously respected in practice.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Corporal punishment is not administered for crimes committed in Norway. Norwegian prisons are not harsh or brutalizing, and may even include creature comforts, such as piped-in music in cells. Prisoners commonly receive weekends of holiday leave from prison. During the past year allegations surfaced in the Norwegian media that the police, particularly in Bergen, have at times used excessive force in the discharge of their duties. After investigation of these charges, police officials moved promptly to discipline the small number of officers involved.

e. Arbitrary Arrest and Imprisonment

There have been no known cases of arbitrary arrest and imprisonment in Norway. The right of habeas corpus exists. There is no preventive detention.

f. Denial of Fair Public Trial

The right to a fair public trial exists in law and is honored in practice. The state provides free counsel to the defendant, and charges are formally and clearly stated. The civil court is, except for the labor court which mediates labor conflicts, Norway's only court. It also tries military and security cases. The judiciary is independent of both the military and the executive.

g. Invasion of the Home

Police may conduct searches of the home only: 1) with the court's approval; and, 2) in instances of hot pursuit when they fear evidence is being destroyed. There have been no allegations of forced official entry into Norwegian homes during the last year. Under the terms of a 1902 law, wiretapping is prohibited, but the courts have allowed the police to tap certain phones (including some in narcotics cases) under carefully drawn and monitored legal guidelines.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Under Norway's Constitution, all individuals have the right to freedom of speech and press, and these rights are respected in practice. The Norwegian State Film Control Board must approve any film before it can be shown to the Norwegian public. The board examines the films for instances of violence, pornography, and blasphemy.

Critics of the Government may express themselves fully and freely. Journalists have access to sources at all levels, inside and outside the Government. However, journalists may not publish national defense information previously unknown and which could prove damaging to Norwegian security, even though the sources may be public and unclassified.

b. Freedom of Peaceful Assembly and Association

Public meetings of every type are common. Peaceful demonstrations organized by political groups of any persuasion are permitted, subject only to the organizing group's obtaining permission in advance. Unions have the right to organize, negotiate, and strike, and about 70 percent of the work force is unionized. Unions play an important role in both the political and economic life of the country.

c. Freedom of Religion

Approximately 95 percent of the Norwegian people belong to the state Evangelical Lutheran Church. A strong, viable minority practices its religion freely. Religious affiliation (or lack thereof) plays no role in secular life.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Government does not impede foreign or domestic travel, and Norwegians have full freedom of movement inside or outside the country. The right to voluntary repatriation is guaranteed.

Since 1945 the Norwegian authorities have granted refuge to more than 9,000 persons. Vietnamese have been the largest group (more than 3,300) since 1975. In 1982 the Norwegian Government granted asylum or refugee status to 700 Indochinese, 50 Latin Americans, and 300 Poles, as well as 25 people from other areas of the world.

Newly arrived refugees receive clothing, a family allowance, medical care, education in Norwegian language and culture, and assistance in locating jobs and housing.

e. Freedom to Participate in the Political Process

Norway is a functioning constitutional democracy. There are several political parties ranging in ideology from conservative on the right to extreme radical on the left. The party (or parties) that can fashion a parliamentary majority after the national elections (held every four years) governs the country. As a consequence of September 1981 elections, the Conservative Party has constituted a minority government with external parliamentary support from the Christian Peoples' and Center Parties.

Citizens participate in their government mainly through local and provincial elections held every two years, and through parliamentary elections held every fourth year. All significant political positions are elective or are under control of elected officials. All Norwegian citizens aged 18 or older have the right to vote. Since 1978, citizens of other Scandinavian countries resident in Norway for three years or more have been eligible to vote in local or provincial elections. More than 80 percent of the eligible voters usually participate in the elections.

Norwegians also make their voices heard through public meetings, letters to the editor, participation in televised debates on the issues of the day, and sometimes through peaceful demonstrations.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

No human rights group has asserted violations of human rights inside Norway or requested visits to investigate alleged violations. A small number of Norway's Lappish minority attempted to attract international attention to their protest against the Government's plan to build a dam and hydroelectric power plant along the Alta River in northern Norway. The Lapps claim that the construction of a dam will adversely affect reindeer grazing, and hence the Lappish way of life. Lapp activists have tried to attract international attention by traveling to the Vatican to present a petition to the Pope and to the United Nations in an effort to publicize their cause. They also conducted sitdown and hunger strikes in Oslo. As a result of the protests, the Government decided in 1981 to delay construction of the dam while the Ministry of Culture did a study of the effects the dam would have on Lappish life. That study has been completed without substantiation of the Lapps' charges. Construction of the dam has been resumed.

Although there has been little evidence presented to support the Lappish position, the issue has increased Norwegian awareness that the 20,000 Lapps, mostly concentrated in Norway's far north, may have been discriminated against.

There is a Norwegian chapter of Amnesty International. This group, along with many others, including parliamentary committees, individual politicians, religious groups, labor unions, and other concerned citizens groups, takes an active interest in monitoring the progress of human rights abroad.

The Norwegian government has shown an active concern for human rights, particulary in such fora as the United Nations, the Council of Europe, and the International Labor Organization.

4. Economic, Social, and Cultural Situation

With a population of approximately four million (4,094,000), a 0.3 percent growth rate, and a healthy economy, Norway has a per capita GNP of approximately $12,653, one of the highest in the world. At birth a Norwegian may expect to live to age 75. The infant mortality rate is 9 per 1,000 live births. Population grows at the average rate of 0.5 percent annually. All school-age children have access to free public education, and the nation is 99 percent literate. The Norwegian diet far exceeds nutritional requirements, and pure water is available to all.

The Norwegian Government seeks to distribute the benefits of the affluent economy among all groups in society. Health care and education (largely financed by the public sector) are provided free or at a nominal cost to the individual.

Women and Lapps are over-represented in lower income groups. However, these groups have enjoyed above-average pay increases in recent years, due to the crafting of wage settlements to give lower income workers larger percentage increases. Such wage settlements, taken with a complex system of subsidies and progressive income taxes, reflect Norway's resolve to narrow the gap between the rich and the poor. In Norway this gap is already quite small compared to that of other societies.

Women are thoroughly engaged in government, business, education, and other fields. Many of the senior and most respected members of parliament are women; the last Prime Minister and current chairman of the country's largest party is a woman.

The Government's efforts to ensure its citizens' vital needs can work at cross purposes with certain other human rights, however. Under Norwegian law, the spouse and the dependents of a foreigner working legally in Norway are entitled to join the worker, provided the worker has housing which health authorities regard as "socially responsible." Foreign workers with large families sometimes find this standard an obstacle to family reunification, since reasonably priced housing is at a minimum in Norway's urban areas. Critics argue that the policy constitutes more of a problem for workers from less developed countries, while North American and West European workers do not feel its impact.

Norwegians have the right to own property, but foreign nationals must apply through the Ministry of Agriculture to buy real estate.

Local and national regulations permit the state to determine allowable prices for housing in the regulated housing market, which covers roughly 20 percent of Norway's 1.3 million family dwellings.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: NORWAY

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN S-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
OTHER US LOANS..........	18.4	60.3	31.1
EX-IM BANK LOANS.......	18.4	60.3	31.1
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	145.1
IBRD	0.0	0.0	0.0	145.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	0.0
OTHER-UN	0.0	0.0	0.0	0.1
EEC	0.0	0.0	0.0	0.0

POLAND

Martial law Poland is basically a Marxist police state disguised as a military dictatorship. Since the imposition of martial law on December 13, 1981, ultimate political authority has nominally been in the hands of a group of senior military officers called the "Military Council for National Salvation" (WRON), and large segments of the party, industrial sector and civil administration have been placed under military control. The ostensible purpose of this military takeover was to end the "anarchy" supposedly characteristic of the period August 1980 through December, 1981, and to provide a temporary framework for economic recovery and major reforms in all areas of national life. Military rule has become a facade for the exercise of power by General Wojciech Jaruzelski and a small group of close associates. The WRON appears to do little more than endorse the decisions presented to it by Jaruzelski; the military commissars who now reign over many institutions in Polish life seem to be mainly figureheads.

In December 1981, the military was the only official institution which still enjoyed some measure of popular esteem. Since then the military has been used mainly for show of force purposes, but has done little more than reinforce the police who are the shock troops in enforcing martial law and dispersing protests. Policy implementation on a day-to-day basis -- identification, immobilization, and suppression of political opponents -- seems to reside with the Ministry of Internal Affairs (MSW) which controls both the national police force, the "citizens' militia", and the security service (SB). The MSW and its various components have gone far towards regaining the authority they had prior to August 1980. The resurgence of the MSW accounts in large part for the deterioration of human rights in Poland since December 1981.

Martial law has proven to be primarily a security operation, both in its long-and short-term objectives. Its real function has been an attempt to revoke the changes in Polish national life which occurred as a result of popular pressure during the Solidarnosc period and to prevent the recurrence of pluralism by eliminating from Polish society the flexibility which made the Solidarnosc movement possible.

The regime's declared goal for martial law has been an end to political unrest and economic decline and the continuation of reform. Through its Martial Law Decree, the regime took away the human and civil rights which the Polish people had won, slowly and bitterly, since 1945 and more quickly and explosively, during the period August 1980 - December 1981. It coupled this with a promise, symbolized by the arrests of Gierek and other discredited Party and government leaders, to correct the mistakes of the past. But while summary tribunals dealt out harsh prison sentences for even minor martial law violations, the prosecution of former Party and government leaders proceeded lackadaisically. Although martial law has been suspended, its basic repressive features have been preserved in the form of emergency powers legislation.

The martial law regime has so far been unable to realize Jaruzelski's pledges to restore the Communist Party's leading role. The Party remains as divided, disorganized, and ineffectual as it was prior to December 13, 1981. Some prominent personalities from both liberal and hard-line wings have been removed, but no consensus has yet emerged within the party's ranks. The Politburo and Central Committee seem to have been relegated to the role of providing token ratification for the policy initiatives of Jaruzelski and his advisers. Industrial production remains significantly below the level of November 1981, the last month before martial law. Production in coal mining and other extractive industries has risen somewhat, partly because miners must again work a six-day week. Although the steep price rises of February 1982 have helped to stabilize the market situation somewhat, there are continuing problems in supplying manufactured consumer goods and in coaxing farmers to sell their crops to the state. Worker alienation is an important and growing economic problem. According to official statistics, the net increase in worker absenteeism in the first five months of 1982, as compared with the same period during the preceding year, exceeded the total of manhours lost through strikes in all of 1981. Martial law was a technical success in suppressing open resistance and in frustrating attempts to form an effective underground opposition movement. One mark of its success was the regime's ability to pass legislation outlawing Solidarnosc in early October without suffering an unmanageable backlash from the Polish people. Yet this tight control only seems to have sharpened resentment toward the regime, and continuing unrest is probable. To date, the most the regime has managed to achieve through its repressive policies is the passive acceptance of its demands by the majority of citizens.

This report is based on the United States Government's own sources of information and on statistics and reports published by the Polish Government and by political opposition groups. The picture which is provided of human rights violations in Poland is less complete and exact than last year's report because of:

-- The regime's resumption of the habitual secrecy characteristic of its behavior prior to August 1980;

-- The suppression of independent groups which previously sought to compile full and accurate information about regime human rights abuses.

1. Respect for the Integrity of the Person Including Freedom from:

   a. Killing

There is no available information to indicate that the authorities have made regular use of premeditated murder to deal with their enemies. The authorities themselves, however, have acknowledged killings of strikers and demonstrators in the course of pacification actions. On December 17, 1981, for example, the regime announced that nine coal miners were shot to death by security forces breaking a strike in the Wujek coal mine near Katowice. Following the nationwide disturbances on August 31, 1982, the official media reported the deaths of two demonstrators in the town of Lubin, one in Wroclaw, and one in Gdansk. Unofficial and unconfirmed reports indicate a higher number of fatalities than the regime has hitherto reported. According to unconfirmed reports from credible observers, the authorities have sometimes sought to avoid blame for the deaths of people in police custody, or during police street actions, by arranging for the secret disposal of the victim's remains and providing false or sketchy information about the demise to the deceased's family.

b. Disappearance

There is no evidence that persons are abducted, secretly arrested, or held in clandestine detention in Poland contrary to law and established legal procedures. The wide powers of summary arrest and internment which security organs now enjoy allow them openly to detain and hold virtually incommunicado for indefinite periods anyone against whom they harbor suspicions (see e. below).

c. Torture

Torture is prohibited under the Polish penal code. Many such observers have expressed the conviction that beatings, often carried out by riot police brought in for this specific purpose, are a routine part of the regimen of at least some detention facilities. There have also been reliable reports of mistreatment of newly arrested demonstrators upon their initial confinement at police stations. A Western news team reported, for example, that while temporarily detained at a Warsaw district police station in the course of the May 3 demonstrations, they heard severe beatings being administered to a number of people. A Western European news team detained while covering August 31 disturbances, and subsequently held two days in a police jail, reported a similar experience. Each member was housed in a separate cell with over a dozen other prisoners awaiting interrogation. Although none of the newsmen was mistreated during his interrogation, all reported that their cellmates returning from interrogation bore unmistakable signs of physical abuse.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Yet, in connection with the forcible confinement of thousands of real and suspected opponents of the martial law regime, there have been increasing reports from credible sources that large numbers of prisoners have suffered beatings and other forms of deliberate mistreatment. Some well placed observers have pointed out that even when the regime has permitted outside inspection teams to visit confinement facilities, such visitors are rarely able to obtain a full and accurate picture of the most critical element of prison life -- the treatment of prisoners by their wardens. Reportedly, internees were systematically assaulted at Zaleze Prison near Rzeszow in January, at the Wierzchowo Camp in February, at Zomo (elite motorized police) Headquarters in Katowice, and at Ilawa Prison in northern Poland at the end of March.

There are no firm estimates of the number of persons wounded and injured in the course of police actions since the start of martial law, but the total figure is probably in the thousands. A principal reason for the lack of reliable statistics is that injured people often avoid seeking treatment at public hospitals out of fear of again falling into the hands of the police. There have been numerous eyewitness reports of excessive use of police force in the past year to suppress public manifestations of dissatisfaction with martial law. Common police practice has been to use water cannon and tear gas for initial dispersal of crowds. This often is followed by a charge of club-wielding riot police who sometimes have administered severe beatings to individual members of the crowd unlucky enough to be caught. During large-scale demonstrations on August 31, police appeared largely to refrain from beatings, while vigorously using tear gas and other means. However, there have been cases under martial law where two or three policemen have ganged up on a victim, pommelled him/her until he/she drops to the ground, and then kicked the victim repeatedly.

Information about the conditions of confinement of martial law political prisoners remains limited and fragmentary. As with the reports of beatings and physical abuse of prisoners (see c. above), there has been enough testimony from responsible sources to warrant grave concern. Various humanitarian institutions continue to make strenuous efforts to visit martial law prisoners in various prisons and detention centers, but the regime has generally done what it could to inhibit such endeavors. Some possible indications of deliberate mistreatment of prisoners are reports of hunger strikes and other prisoner protest actions in different confinement facilities. In August, for example, heavily armed "Zomos" (specially trained riot police) were brought in to put down one such disturbance in an internment camp near Gdansk.

e. Arbitrary Arrest and Imprisonment

Martial law regulations permitted the authorities to detain "those against whom there existed a well-founded suspicion that they would carry out activity injurious to state security if allowed to remain at large." Such persons could be interned "in isolation centers for the period of martial law on the basis of a decision of the Voivodship (Provincial) Military Commandant." Internment usually did not involve charges, and thus no court proceedings were necessary.

Following its July 21 announcement of the release or furloughing of about 1,200 internees (including all women internees) the regime claimed that only 600-700 of those interned at the start of martial law now remained in custody. The regime itself never presented a full list of internees. In a July newspaper interview, the Minister of Internal Affairs justified this failure by the claim that internees themselves had protested releasing their names as violation of their privacy. There also have been reliable reports of arrests of former internees shortly after this initial release, as well as mass roundups of ex-internees and other suspected regime opponents before August 31 (the anniversary of the Government's recognition of Solidarity) and other sensitive occasions. Since November 1982 there have been reports that persons suspected of Solidarity activities have been called up for army reserve duty and sent to special military installations where they are held under conditions differing in no substantial way from internment.

Much of the Western concern about Polish political prisoners previously focused on the category of internees, which, whatever its true size, constituted only a minority of those confined in connection with martial law or opposition to the regime. Thousands have been convicted of martial law violations by summary military and civilian tribunals, and many others are under arrest awaiting trial. Over 5,000 people were arrested or detained in the wake of the August 31 disturbances. Sentences for martial law violations have been swift and severe. Even minor offenses, such as printing and distributing underground news bulletins, have sometimes entailed sentences of three to five years' imprisonment. There is an additional category of detainees who are being "held without charge at the pleasure of the Ministry of Interior." This status is similar to internment in that it involves confinement without charge for an indefinite period, but it entails more restricted visitation access. All assessments of the total number of current political prisoners remain highly tentative, given the regime's ability to shift confinees from one category to another, its repeated revisions of the numbers involved, and its manifest refusal to cooperate with independent groups trying to count them.

Some of Poland's leading mathematicians (Janusz Onyszkiewicz, Ryszard Herczynski), historians (Bronislaw Geremek, Karol Modzelewski), economists (Gregorz Palka) were or are detained. Some were arrested, some interned; and others are awaiting trial. Also under arrest and now awaiting trial are twelve top leaders of Solidarity and KOR (Workers Self-Defense Committee) including Jacek Kuron, Jan Jozef Lipski, and Adam Michnik. With the exception of the three latter men and Herczynski (see note above) none of these were detained for offenses under martial law. Rather, all have been accused of the "suspicion of becoming a danger to the state." Their fate, like that of the thousands of other political prisoners in Poland, is of concern, since they have been deprived of the due process of law prevailing in Poland at the time they became famous. The regime continues to assert that these political prisoners are a menace to the security of the state.

f. Denial of Fair Public Trial

The demand for legal reform was widespread and intense from August 1980 to December 1981. In response to popular pressure for recognizable standards of legality in the administration of civil and criminal justice, the Ninth Extraordinary Party Congress called in June of 1981 for "strengthening judicial independence as the fundamental guarantee of legality." Since implementation of martial law, however, the judiciary system has increasingly become an instrument of regime repression. This has been accomplished principally by the establishment of summary tribunals which have dispensed swift and severe penalties (not subject to appeal) for breaches of martial law.

In the early days of martial law, at least, there appears to have been considerable resistance by attorneys, judges, and even prosecutors, to regime pressures to reduce their independence. In early January, civilian courts in Warsaw acquitted six workers and suspended the sentence of a seventh who were accused of organizing strikes at the Warsaw steel mill and Zeran auto plant. The judges accepted defense arguments that the protest strikes were a spontaneous reaction by workers to the proclamation of martial law. There have been numerous indications of the regime's displeasure at what it regards as overscrupulous concern for individual rights in the administration of justice. In Lodz the authorities interned attorneys who defended the organizers of strikes in textile factories. In Katowice and Bytom judges were fined for refusing to participate in summary tribunals. Despite the regime's pressures, sentences for martial law violations have often been significantly lower than the prosecution demanded. In many such cases, however, stiffer sentences have been decreed when the decisions were referred to higher authority for review. The case of mathematician Ryszard Herczynski is a case in point: three times arrested, he has been acquitted by Appeals' Courts three times. The regime has now obtained a fourth conviction.

g. Invasion of the Home

Warrantless searches of homes and offices, confiscation of personal documents and property, monitoring of telephones, and other forms of "bugging" -- all were standard police and security service practice before martial law, although prior approval from the appropriate authorities was theoretically required before such actions could be taken. The preamble of the Martial Law Decree, however, announced "the suspension of restriction of basic civil rights defined in the Constitution of the Polish People's Republic, in particular: personal liberty and inviolability of homes." Whatever legal grounds Polish citizens previously had for contesting government invasion of their privacy were therefore abolished. Given the ongoing campaign to ferret out and crush real and putative political opponents, it is correct to say that the scale of such police actions since December has been massive.

2. Respect for Civil and Political Rights Including:

a. Freedom of Speech and Press

The Martial Law Decree explicitly prohibits "all forms of publication, printing, and copying of materials, and dissemination of information without the agreement of the proper organs of authority." This was a sharp setback to Poland's pre-martial law progress in implementing information provisions of the Helsinki Final Act. Much of the Polish media from August 1980 to December 1981 provided relatively open, frank, and lively treatment of issues, including explicit criticism of government actions. Few major events went unreported, including many which were highly unflattering to the authorities. Martial law has meant tight regime control over print and electronic media, and the Polish press, radio, and television have resumed practices often recalling the 1950's. News is mentioned rather than reported; passive constructions obscure responsibility for actions. Ritual phrases, exhortations, and polemics predominate. The pluralism of viewpoints, regard for factual accuracy, and candor which previously characterized much of the Polish media have largely given way to an effort to portray a society returned to peace, order, and harmony. A relatively open debate on economic issues is the main exception to this glut of propaganda.

The lively, informative and commercially successful Solidarnosc weekly newspaper has been shut down, as have other journals connected with Solidarnosc. Respected church periodicals, the weekly Tygodnik Powszechny and the monthly Wiez, have had their fights with the censors -- winning some and losing some. The most informative and interesting domestically produced sources of information about martial law Poland have been clandestinely printed flyers and news bulletins, thousands of which have appeared in almost every part of the country since December 1981. The regime has mounted a concerted effort to stamp out these underground publications, and has routinely imposed jail sentences of three to five years on persons convicted of producing or distributing such material.

Martial law also eviscerated the Polish media by removing many of its leading figures. A system of ideological "verification" largely silenced those who remained at their jobs and who now produce a uniform media line conforming to the military dictates. According to a key official of the dissolved journalists' association, and to Western press reports, more than 1,200 print and media journalists lost their positions in the ideological purge. In late March, the authorities gave their blessing to the creation of a new and more malleable organization, the Association of Journalists of the Polish People's Republic. This development culminated a long campaign of criticism directed by the authorities at increasingly independent journalists. It also demonstrated the regime's determination to eradicate all vestiges of public autonomy and reinforce official dominance over public life. The head of the new association admitted to Western reporters that at least 700 journalists lost their jobs because of opposition to martial law and that 21 publications were closed permanently.

The availability of Western publications continues to decline. This is a result of both the ongoing political crackdown and the lack of hard currency. Even the very limited copies of Newsweek and the International Herald Tribune once available at newsstands are no longer found, a process already well under way before the martial law. Libraries, including university libraries, have for all intents and purposes no hard-currency budgets for the purchase of new Western books and periodicals. Western books and periodicals already in library collections are still, with a few exceptions, available to users. Hard currency expenditure outside of Poland is so controlled and limited that it is now almost impossible for an individual to purchase a subscription to a Western periodical.

Polish university life and academic inquiry have a reputation for independence. In the month preceding martial law many universities were at least partially paralyzed by student strikes which reflected impatience with intentional government delays in adopting a higher education bill embodying long awaited academic reforms. Polish universities were closed December 13 upon the imposition of martial law, and most did not reopen until February.

Before martial law, there was increasing regional and local autonomy in the administration of higher education. Since then the Ministry of Higher Education, prompted by the security organs, has resumed central direction of educational policy. The effects of renewed centralization, however, are still vitiated by the absence of clear, consistent policies and by haphazard implementation. Despite the continuing lack of a clear regime educational policy, severe restrictions have been imposed to keep campuses under tight control. In most universities students and faculty may only visit the campus for classes or to use the library. The threat of expulsion followed by immediate induction into the military is used to stifle student political protests. Military commissars have been assigned to oversee the operation of universities. In December 1981, almost all university rectors had been freely elected by members of their universities rather than imposed from above. As of September 1982, only two elected rectors were still in place. The rest were removed by regime pressure or decree. Although a political "verification" process has taken place on campuses, only a few university instructors have so far been fired. The regime eliminated most of the curriculum reforms it agreed to in February 1981. Students are again required to take courses in Russian language, Marxism-Leninism, and "military science." In mid-September 1982, a directive from the Ministry of Higher Education (dated May 1982) instructed universities to raise required class hours and reduce elective courses.

b. Freedom of Peaceful Assembly and Association

The Martial Law Decree expressly banned "all types of public assembly and demonstrations without prior permission of the authorities, except for religious celebrations in churches and other places exclusively for that purpose." Since December, there have been cosmetic "relaxations" of this ban to permit officially controlled civic action groups to meet without prior authorization. The regime has also allowed the Church to conduct religious processions on certain holidays, as well as the traditional August pilgrimage to the Jasna Gora monastery by over a hundred thousand people from all across the country. On the other hand, it has repeatedly employed police force to suppress strikes, demonstrations, and other open manifestations of popular unrest. Elite internal security troops and riot police have routinely used armored cars, water cannon, tear gas, clubs, and, in at least two documented instances, small arms, to crush what have almost always been non-violent protest actions. Although there have been confirmed reports of crowd violence against police during some disturbances, such violence has occurred after the authorities forcibly suppressed attempts to hold peaceful protest actions.

The Martial Law Decree suspended the operations of all trade unions, both the official "branch" unions and the cluster of unions comprising Solidarnosc. Stiff prison sentences were mandated for persons who persisted in trade union activities under martial law, particularly for those organizing and participating in strikes. Additionally, workers in "militarized" enterprises have been subject to military discipline. Persons thrown out of work by official fiat are often subsequently threatened with prosecution on charges of "social parasitism" under a recently enacted decree.

Months of groping by the regime for an acceptable alternative to the suspended Solidarnosc trade union ended October 9 with the Polish Parliament's passage of official trade union legislation. Although the bill provides a legal framework for the creation by workers of what are described as independent, self-governing unions, its one unquestioned objective was to delegalize Solidarnosc and prevent a similar movement from ever emerging again. The bill narrowly restricts trade union activities to matters of wages, working conditions, and living conditions. The legislation bars unions from attempting to challenge government policies. It outlines procedures for compulsory government arbitration of labor-management disputes which very severely limit the right to strike. The bill initially restricts unions to the enterprise level (e.g., one union per factory) and prohibits them from having the kind of regional structure which enabled Solidarnosc to become so effective.

c. Freedom of Religion

Despite martial law, there is still more tolerance of religion in Poland than in any other Warsaw Pact country, including the Soviet Union. There is, however, regime pressure on the Catholic Church to endorse official policies and to discourage its members from participation in opposition activities. Official press commentaries have accused some clergymen of encouraging social and political unrest. For example, the national party newspaper Trybuna Ludu attacked "provocative and politically inciting gestures by some representatives of the clergy." In March, one priest was arrested and subsequently received a three-and-one/half year prison sentence in Koszalin province for allegedly "publicly insulting and deriding--the ruling authorities and...spreading false information." In October another priest was convicted and imprisoned for allegedly concealing the murder weapon in connection with the slaying of a policeman on a Warsaw tram in February. Bishop Tokarczuk has recently been assailed by the official press for his criticism of official policies in a recent sermon. In his October 9 Sejm address Prime Minister Jaruzelski denounced "political clericalism."

Poland's small Protestant sects and Russian Orthodox churches continue to operate without major government obstructions. The small Jewish minority maintains its traditions, although there were indications that some Polish officials had attempted to incite anti-Semitic sentiment in campaigns to discredit political opponents. Anti-Semitic slurs have occasionally appeared in press articles attacking prominent figures in Solidarnosc and the Committee for Workers' Defense (KOR/KSS). The Christmas 1981 holiday issue of the leading Szczecin newspaper carried an article which asserted that Jews have been a source of trouble in Poland since 1947 and that Jews operating through KSS/KOR were trying to take over the country. The Jewish ancestry of KOR leaders Adam Michnik and Karl Modzelewski was mentioned in a denigrating way in the article. The December 17 and 18, 1981, issues of Trybuna Ludu accused Jacek Kuron and Bronislaw Geremek of prior involvement with "Zionist sabotage centers." The army newspaper Zolnierz Wolnosci on February 23, 1982, linked KOR with "Zionist milieus seeking to antagonize Polish society."

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Martial Law Decree imposed severe restrictions on travel within Poland. In the decree's immediate aftermath, travel to another city for periods longer than 48 hours required advance approval by the authorities as well as immediate registration with the police in the place of stay. By spring, however, most of these restrictions were lifted and Poles enjoyed virtually the same degree of freedom of internal movement which existed before martial law. Martial law brought little change in Polish policy with respect to legally authorized emigration. In general, the Polish Government discourages emigration, and the basis on which emigration passports are issued remains unclear. Although the Polish authorities officially continue to espouse the principle of family reunification, a large number of unresolved reunification cases persist between the US and Poland. The Polish Government has normally enforced its emigration policies simply by denying passports valid for emigration, and by requiring those who do receive them to divest themselves of property in Poland and to repay the state for the cost of higher education.

A more disturbing aspect of Polish "emigration" policy surfaced after the implementation of martial law. In early March the Ministry of Interior announced that martial law internees could apply to leave the country permanently along with their families. Although only a small fraction of the several thousand internees and ex-internees have expressed interest in obtaining emigration passports, there is considerable evidence that the regime is pressuring many present and former detainees to seek exile.

Poland does not prevent the return of its citizens who are temporarily abroad, and indeed encourages them to retain their

Polish citizenship even after they have been abroad for several years. On the other hand, the Polish Government has a long-standing practice of preventing or delaying the travel of citizens with immediate family members abroad who prolonged their stays without official authorization.

All Polish passports were invalidated upon the declaration of martial law, and were revalidated only in exceptional cases. In March, however, passport restrictions were relaxed in the cases of elderly and disabled persons and the "non-productive." A further easing of passport restrictions occurred in July, and was ostensibly intended to facilitate travel by (1) those visiting relatives abroad; (2) those involved in institutional, organizational and inter-city exchanges; and (3) those traveling abroad for training and education. In the first instance, the Ministry of Interior will permit citizens to travel abroad to visit relatives, provided they provide a written guarantee of support notarized by a Polish Consular Office abroad. Despite these measures, most Polish citizens still encounter extreme difficulties in obtaining passports for temporary travel abroad.

e. Freedom to Participate in the Political Process

Ever since its founding, the Polish People's Republic has sought to foster an impression of mass support for its policies by means of officially-controlled organizations which purportedly represent different segments of Polish society. Some leaders of these front organizations have come from the ranks of the Party Nomenklatura (a special procedure for ensuring that only those individuals considered politically reliable are appointed to key positions). Others are coopted non-party members who have accepted the regime's offer of prestige and perquisities. From August 1980 to December 1981, however, large and influential social organizations emerged whose leaders owed their positions to the support of the membership rather than the authorities -- e.g., the Association of Polish Journalists, the independent students' union, and the Solidarnosc trade union movement embracing both factory workers and farmers. Acting through these organizations, constituent groups were able to limit the regime's ability to manipulate them and, at the same time, to exert pressure on the authorities. The regime imposed martial law to revoke the political and social changes brought about through popular pressure and to dismantle these new elements of Polish national life which constituted such a clear threat to the regime's power and privileges. The outlawing of Solidarnosc and other popular organizations makes it difficult for most Poles to identify their interests with the existing system. This poses a long-term threat to the regime's hold on power. A lack of worker motivation has markedly impaired productivity. The lowered living standards bound to result from this will likely be a source of continuing discontent.

To counter the growing alienation of its citizenry, the regime has attempted to revitalize several long-discredited front groups, including the Peasants' Party, the Democratic Party, the League of Women, the Union of Polish Socialist Youth, and the Official Veterans' Organization. It has also fostered institutions designed to provide a framework for coordinating the varied efforts of these revitalized organizations toward the overreaching goal of national renewal and reconciliation. In December "Citizen Committees for National Salvation" (OKON's) were established to provide such a framework at the local level. In July, the regime unveiled the "Patriotic Front for National Renewal" (PRON), which is meant to provide such a framework at the regional and national level.

Although PRON and OKON gatherings receive considerable press attention, there is no evidence that any of these bodies have any popular appeal or have ever accomplished any substantive task. Their real function seems to be to provide an appropriate forum and suitable applause for policy statements, and to create the impression of a groundswell of support for the government. The vast majority of Poles evidently regard the PRON and OKON's with derision or indifference.

In the months from September 1980 to December 1981 the Sejm (Polish Parliament) showed signs of functioning as an independent and representative legislative body. Since martial law, however, it has settled back into its more subservient role of providing ceremonial endorsement to policies determined by higher authority. Symbolic of this capitulation was the Sejm's endorsement in late January, with only a handful of deputies abstaining or voting against, of Jaruzelski's imposition of martial law. The Sejm's most important action since martial law was passing on October 8 the regime-authored trade union legislation banning Solidarnosc and effectively eliminating the right to strike. The Sejm deputies were not shown the actual text of the bill until three days before the measure came up for a vote. Ten deputies voted against the bill, and nine others abstained.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Polish Government does what it can to obstruct the investigation of human rights violations in Poland and their discussion in international forums. It has vigorously objected to discussions of such violations at the Conference on Security and Cooperation in Europe (CSCE) review conferences as a breach of the Final Act's principle of non-interference. At the Madrid Conference in February and March 1981, Deputy Foreign Minister Wiejacz and other Polish Government representatives opposed discussion of Poland's human rights violations. A Polish Ministry of Foreign Affairs representative subsequently called in a US Embassy officer to denounce the section on Poland in the "Twelfth Semiannual Report to the Commission of the CSCE on the Implementation of the Helsinki Final Act" as interference in Poland's internal affairs and its relations with other countries, specifically the Soviet Union.

There is considerable belief that the act delegalizing Solidarnosc violates Poland's obligations under the International Labor Organization convention. The Government has insisted it is in full compliance.

Amnesty International and the Committee in Support of Solidarity are two human rights groups which have been circulating lists of people interned without charge and arrested and charged under martial law. Among the charges, Amnesty notes, have been trying to organize meetings, strikes, or sit-ins, or distributing leaflets. Freedom House in 1982 has judged Poland "not free."

Expressing its deep concern at the continued reports of widespread violations of human rights and fundamental freedoms in Poland, the UN Human Rights Commission at its 38th session during February/March, 1982, requested that the UN Secretary

General undertake a thorough study of the human rights situation in Poland and to present a comprehensive report to the 39th session of the commission.

On December 21, 1982, the UN Secretary General appointed Ambassador Hugo J. Gobbi as Special Rapporteur to undertake this study. There will be a very limited time to compile the full report requested since the 39th session of the UN Human Rights Commission is scheduled for the period January 31 to March 11, 1983. It has been reported that the Polish Government has refused to cooperate with this investigation on the grounds that it was interference in Poland's internal affairs.

4. Economic, Social, and Cultural Situation

During 1982 the Polish economy continued to perform poorly in almost all sectors. While food supplies remained above subsistence level, such staples as flour, meat, butter, and sugar were all rationed. The shoe ration was one pair per year. Retail price reforms were instituted in February 1982, when prices of most foodstuffs and other consumables were increased by 300 to 400 percent. The steep rises in prices shortened lines for consumables, but have not yet stimulated production sufficiently to meet pent-up demand. Compensation geared to income level and family size has softened the blow of the price rises for some persons, at least in the short run. Increases in disability and retirement pensions have provided additional support for the lowest income groups.

The housing shortage remains a major social problem. The average wait for an apartment is around 15 years. The priority accorded persons with hard currency aggravates inequities in the distribution system. In addition to housing, many necessities are more easily obtained by those with hard currency, while the mass of people must do without, or wait for years to buy. Health care is free, but medicine must be purchased from state-run pharmacies which frequently lack drugs, many of which must be imported from the West. Most domestically produced medicines are also in short supply. Hospital facilities are limited and overcrowded. The medical profession, however, is staffed by well-trained physicians. The infant mortality rate in 1980 was 21.1 deaths per 1000 births. Life expectancy at birth in 1980 was 71.6 years. The population growth rate in 1980 was one percent.

Poland's 1979 GNP per capita in 1979 dollars was $3,830. It is in its fourth year of a precipitate drop in national income, having suffered a two percent decline in 1979, four percent in 1980, and 13 percent in 1981. Official forecasts project a six to seven percent decline in national income for 1982, but unofficial sources suggest this figure may be overly optimistic. Within the context of this unprecedented post-World War II declining rate of economic growth, a major debate is continuing about the allocation of scarce resources between long-term investment projects and urgent consumer needs.

Private property ownership is widespread in Poland, particularly in agriculture, where, in 1979, 75 percent of the land was in private hands, according to official statistics. During the past spring, the Polish Parliament passed a farm bill which, among other things, permitted increases in the size of holdings and codified rights of inheritance.

Nominal salary increases during 1982, together with compensation for price hikes, have averaged 40 percent. The regime has withdrawn many of the concessions it made to workers between August 1980 and December 1981, most notably the right to strike and to form unions independent of official control. The six-day work week, abolished in 1980, has been restored in the mining industry and other militarized enterprises.

Basic and secondary education in Poland is universal and free, but of widely varying quality in various parts of the country. There is, for example, a marked difference in the quality of instruction provided in urban and rural schools. The adult literacy rate was 98 percent in 1976. The primary school enrollment rate in 1979 was 99 percent. Admission to higher education is on the basis of competitive examination, but instances of political favoritism are still reported. The position of women in the economy is generally inferior to that of men, but there are wide variations depending on the type of work involved. Recent government legislation improving the salaries and working conditions of health service personnel was mainly an attempt to improve abysmal standards of medical care. But it may also have provided a slight boost to the overall professional situation of women, who fill a disproportionate share of the jobs in this sector.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: POLAND

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	47.6	35.5
LOANS..............	0.0	47.6	0.0
GRANTS.............	0.0	0.0	35.5
A.AID	0.0	0.0	5.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	5.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	5.0
B.FOOD FOR PEACE.......	0.0	47.6	30.5
LOANS..............	0.0	47.6	0.0
GRANTS.............	0.0	0.0	30.5
TITLE I-TOTAL..........	0.0	47.6	0.0
REPAY. IN $-LOANS.....	0.0	47.6	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	30.5
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	30.5
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	47.6	35.5
LOANS..............	0.0	47.6	0.0
GRANTS.............	0.0	0.0	35.5
OTHER US LOANS..........	212.0	0.0	0.0
EX-IM BANK LOANS.......	31.6	0.0	0.0
ALL OTHER..............	180.4	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.2	0.0	21.0
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.2	0.0	18.6
OTHER-UN	0.0	0.0	0.0	2.4
EEC	0.0	0.0	0.0	0.0

PORTUGAL

The revision of the 1976 Constitution, approved by the Assembly of the Republic in August 1982, completed Portugal's transition from the authoritarian regime overthrown in 1974 to a full-fledged, multi-party parliamentary democracy. Constitutional revisions which went into effect on October 30, 1982, removed the remaining independent military role in government. The Portuguese Government is chosen by a popularly elected Parliament. The President also is chosen by direct popular vote.

Human rights improved dramatically in the wake of the April 25, 1974 revolution which ended a 48-year dictatorship, abolished censorship, and dismantled the secret police structure. Portuguese were quick to exercise their rights of free speech; exiled political leaders returned; political parties based on general Western European prototypes appeared.

The 1982 revision of the Constitution eliminates much of the ideological rhetoric of the 1975 Constitution, consolidates the guarantees of civil liberties contained in its predecessor, and allows for a liberalization of the economy. The Government has promised an economic reform program that will reduce the role of the state and move the Portuguese economy to one even more closely resembling the free-market economies of other democracies.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There are no officially sanctioned political killings in Portugal. However, two politically related deaths marred 1982. During the evening of April 30 to May 1, two young men were killed in Oporto when police intervened to keep members of the Communist-dominated General Confederation of Portuguese Workers from attacking members of the rival democratic General Union of Workers organization. According to press reports, the victims were shot during the early morning hours while fleeing street battles between the police and large numbers of General Confederation of Portuguese Workers agitators.

b. Disappearance

Persons are not abducted, secretly arrested, or held in clandestine detention by police or security forces.

c. Torture

Portugal has been free from torture since the dismantling of the secret police in 1974. Torture is constitutionally forbidden, and evidence gained by such means cannot be used in criminal proceedings.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

There has been no credible evidence of cruel, inhuman, or degrading treatment or punishment since November 1975. Such treatment or punishment is forbidden by the Constitution. Portugal's maximum penalty is 28 years imprisonment.

e. Arbitrary Arrest and Imprisonment

Since November 1975, there have been a few cases in which Portuguese citizens were held without specific charges longer than the 48-hour period allowed by the Constitution. In those cases, defense lawyers were able to obtain due process for their clients through legal efforts and publicity. The right to habeas corpus is guaranteed by the Constitution.

f. Denial of Fair Public Trial

Portugal allows no secret trials or condemnations and the judicial system is fair. A large backlog of cases in the overburdened court sytem has, however, caused delays. Some individuals are held in prison for long periods before their cases come to trial. Bail is unusual for those accused of serious crimes. Four suspected terrorists, members of a far-left political party, drew widespread public attention when they carried out a hunger strike to protest their continuing confinement without trial. (A previous conviction of two members had been overturned during the previous summer.) The hunger strikers, three of whom are now free, ended their fast after the Government promised to introduce legislation limiting detention without trial.

g. Invasion of the Home

The inviolability of the home is guaranteed. The Constitution requires an "order of the competent judicial authority" for searches of and entries into homes and specifies that the consent of the occupants must be obtained to enter a home at night. The provisions are respected, and any irregularities would be subject to immediate scrutiny through the press and official institutions.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These freedoms are guaranteed under the Constitution and respected in practice, although two provisions of law limit the range of permissible political activity.

The Assembly of the Republic passed the so-called "Anti-Fascist Law" in June 1978, prohibiting fascist organizations, discussions of corporatism, and other activities related to "fascism." The law provides penalties of from two to eight years imprisonment for violations. Because of its vagueness and applicability to only one side of the political spectrum, the law has been questioned by some Portuguese human rights advocates. There have been no prosecutions under the law. Persons associated with the old regime are not harassed and are politically active.

Portugal's penal code also has a provision authorizing up to eight years imprisonment for those found guilty of "insulting" civil or military bodies, the President of the Republic, or members of the Revolutionary Council. (The Revolutionary Council disappeared with the entry into force of the Constitutional revision on October 29, 1982.) A few journalists have been prosecuted under this statute, most recently in June 1982, when the editor of a highly conservative journal was sentenced to twelve months (reduced to nine) in prison, fined approximately $400, and ordered to pay an indemnity of $555 for a verbal attack on a member of the Council of Revolution. The case is currently under appeal.

The Portuguese Government is the owner of most of the nation's major daily journals, which were indirectly nationalized when Portugal's banks, to which they became heavily indebted, were nationalized after the Revolution. The Government does not control editorial content, and the daily journals reflect opinion across the political spectrum. Indirect government ownership has probably guaranteed the survival of smaller journals which are not financially self-sufficient.

b. Freedom of Peaceful Assembly and Association

The right to peaceful assembly is guaranteed under Portuguese law and fully exercised in practice. Workers have the constitutional right to set up trade unions and trade union associations. Currently approximately 45 percent of the workforce is unionized. A law prohibiting the establishment of more than one national labor confederation (giving a monopoly to the Communist-dominated General Confederation of Portuguese Workers) was revoked in 1976. The General Union of Workers was established shortly thereafter as an alternative. The right to strike is protected by the Constitution and observed in practice.

c. Freedom of Religion

The right to practice the religion of preference is constitutionally guaranteed and freely exercised throughout Portugal. There are no restrictions on the conduct of religious services of any denomination.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Freedom of movement, foreign travel, and emigration are guaranteed by the Constitution. The Constitution also mandates the acceptance of refugees, which Portugal has frequently done in the past. The Government of Portugal provides for the repatriation of its citizens from foreign countries when necessary and grants asylum to political refugees. Domestic travel is not circumscribed. However, currency exchange restrictions imposed because of balance of payments problems are a minor practical constraint on foreign travel by Portuguese citizens.

e. Freedom to Participate in the Political Process

Portugal enjoys a democratic, multi-party system in which opposition parties operate freely with access to the media. Only "fascist" organizations are outlawed. The Government has respected the Constitutional provision for universal, secret, and equal suffrage for all citizens over 18 years of age.

The April 1978 revision of the civil code guarantees full legal equality for women in accord with the Constitution. Portugal was one of the first signatories of the UN Convention on the Elimination of all forms of Discrimination against Women. Maria de Lourdes Pintasilgo served as Prime Minister for five months in 1979. Four women currently serve as State Secretaries (sub-cabinet level positions) in the national Government. Women play an active role in the political parties, but still remain under-represented in party and government leadership positions. This situation has shown considerable improvement since the 1974 revolution.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Portugal has cooperated with independent outside investigations of human rights conditions, and has brought the issue of displaced persons of East Timor to the UN. Portugal is a signer of the Helsinki Accords and is active in the Council of Europe's human rights monitoring. Private international human rights groups, such as Amnesty International, are also active in Portugal. The 1982 Freedom House report considers Portugal as "free".

4. Economic, Social, and Cultural Situation

Portugal, with a per capita gross national product of about $2,350, is Western Europe's poorest country. It is also Western Europe's least developed nation. The adult illiteracy rate is approximately 30 percent. Infant mortality (1980) is 35 per 1000. Little more than a third (34.5 percent) of the population has access to safe water. Life expectancy (1980) is 70.8 years. Portugal has integrated almost three-quarters of a million returnees from its former colonies since 1975. Approximately one-tenth of the 10,045,000 population (in 1981) lived and worked outside of Portugal.

The Government has attempted to improve educational opportunities through a large-scale school-construction program. Education is free, and primary school education is now available throughout the country. In 1977 the primary school enrollment ratio (students enrolled in primary education as percentage of population in appropriate age group) was 117. A growing network of regional colleges is currently extending higher education beyond the traditional centers of Coimbra, Lisbon, and Oporto.

Economic difficulties have touched all levels of Portuguese society. Agricultural dislocations following the 1974 Revolution, exacerbated by two years of drought, led to drops in agricultural production. Portugal currently imports approximately one-half of its food needs. Yet partly due to government subsidies of consumer food prices, Portugal has been able to maintain an adequate nutritional standard for its population. The caloric supply available to nutritional requirements was 126 percent in 1977. In the non-agricultural sectors of Portugal's economy, unemployment and underemployment remain problems, especially for youth. Although constitutionally guaranteed equal rights, women have some disadvantages in seeking employment, partially because of mandatory, costly maternity benefits.

Food, shelter, health care, and education are available to all inhabitants of Portugal, regardless of race, religion, sex, ethnic background, or political opinion.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: PORTUGAL

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	78.0	25.0	20.0
LOANS...............	38.0	0.0	0.0
GRANTS..............	40.0	25.0	20.0
A.AID	40.0	25.0	20.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	40.0	25.0	20.0
(SEC.SUPP.ASSIST.)...	40.0	25.0	20.0
B.FOOD FOR PEACE.......	38.0	0.0	0.0
LOANS...............	38.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	38.0	0.0	0.0
REPAY. IN $-LOANS.....	38.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	31.9	52.8	67.4
LOANS...............	0.0	0.0	45.0
GRANTS..............	31.9	52.8	22.4
A.MAP GRANTS..........	30.0	51.0	20.0
B.CREDIT SALES-FMS....	0.0	0.0	45.0
C.INTL MIL.ED.TRNG....	1.9	1.8	2.4
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	109.9	77.8	87.4
LOANS...............	38.0	0.0	45.0
GRANTS..............	71.9	77.8	42.4
OTHER US LOANS..........	48.0	67.4	0.0
EX-IM BANK LOANS.......	1.7	67.4	0.0
ALL OTHER.............	46.3	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	180.2	201.2	160.0	1164.8
IBRD	134.0	120.0	81.0	771.5
IFC	0.0	11.2	0.0	11.2
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.2	0.0	0.0	1.9
OTHER-UN	0.0	0.0	0.0	0.2
EEC	46.0	70.0	79.0	380.0

ROMANIA

Romania is a highly centralized communist state. The Communist Party, led since 1965 by Romania's current President, Nicolae Ceausescu, directs every significant aspect of life in the country.

Romania, with an annual per capita GNP of approximately $2,100, has made considerable economic progress over the last four decades, changing from a largely agricultural country to one with a significant industrial sector. Romania has suffered serious economic setbacks in recent years, however, and in the last two years the standard of living has declined.

In the area of human rights there are major discrepancies between Romanian law and the nation's international commitments on the one hand and the Government's internal practices on the other. Political dissent and deviation from the party's policies are not tolerated. The use of intimidation and, to a lesser extent, physical pressure to discourage such activities is well-documented. The Romanian population is convinced of the omnipotence, capriciousness, and relentlessness of the Government's extensive security apparatus, and most Romanians either resort to private intrigues to circumvent the system or respond apathetically to it rather than pursue active resistance to the Government's policies and practices. The Government maintains a firm anti-emigration policy, but allows relatively large numbers of its citizens to emigrate, mainly for family reunification. It exercises close supervision over religious and cultural activities. The official Romanian response, thus far, to international concerns regarding Romania's human rights practices generally has been limited to action on individual cases.

1. Respect for the Integrity of the Person, including Freedom from:

a. Killing

There are no documented cases of officially-inspired murder for political motives within Romania. However, there have been several reports of Romanian security personnel attacking or threatening individuals resident outside of the country. The most recent report involves a plot, revealed on August 31, 1982, to assassinate two expatriate Romanian writers in France, Paul Goma and Virgil Tanase, because of their criticism of President Ceausescu and his Government.

b. Disappearance

Reports of politically-motivated disappearances in Romania occasionally appear in the West. Many of these reports are from international organizations concerning well-documented cases. There has been, however, no confirmation or refutation of any of these reports due in part to obstruction by the Romanian security authorities of efforts to investigate such disappearances.

c. Torture

There are no credible reports of the use of torture.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Reports continue of verbal threats, strong psychological coercion, and physical abuse of Romanian citizens by the Government, particularly in cases of political dissidents, intending emigrants, and religious activists. Conditions of confinement reportedly are poor and deteriorating, with continuing reports of physical abuse, overcrowding and unsanitary conditions, inadequate diets, long working hours, and minimal medical care. Prisoners occasionally are kept in near or complete isolation and at times are refused access to their families for as long as six months.

Rehabilitation through work is common under the Romanian system of justice, and the vast majority of prisoners must work while in prison. There are reports that labor camps exist in Romania, despite frequent denials by the Government. In addition, the so-called "forced domicile system" is a common form of punishment. This may involve work without wages and transfer to a workplace far from the prisoner's home. Because "forced domicile" rarely involves incarceration, it is generally considered a more lenient form of punishment by Romanians.

At least one execution for an "economic crime" took place in 1982. There continue to be reports that some prisoners and dissidents are confined and treated in psychiatric hospitals because of their political and religious beliefs. Confirmation (or credible refutation) of these reports, however, has been extremely difficult to obtain.

e. Arbitrary Arrest and Imprisonment

Police harassment and threats are a common feature of life in Romania, especially for those who are politically or religiously active beyond the narrow limits permitted by the Communist Party and the Government. Such activists are often subjected to arbitrary arrest, long periods of interrogation, confinement without charge, and occasionally even physical abuse. Reports that individuals are dismissed from their jobs and subsequently accused of "parasitism" (not having a job) or other lesser offenses not directly tied to their political or religious activities, are not uncommon. Political prisoners are rarely allowed to work outside of prison and are generally segregated from other prisoners. Romanian law does not provide for habeas corpus, and no effective legal remedy exists for persons held without charge. Detention without charge for short periods (2-4 days) occurs frequently.

On December 29, in honor of the 35th anniversary of the founding of the Socialist Republic of Romania, the Romanian Government for the first time since the early 1970's issued a full pardon for a large number of those incarcerated in the country's prisons. With certain exceptions, all those with sentences of up to five years are reported to have received full pardons.

f. Denial of Fair Public Trial

By law the Government may hold trials closed to the public and often does so, particularly in cases involving dissidents, religious activists, or others, when it wishes to minimize national or international publicity. Defendants are allowed access to counsel before their trial, although sufficient time for preparing an adequate defense is seldom given. It is a common practice for the Government to open the prosecution's case to the defense only a day or two before the trial. "Emergency trials" may be used to try and sentence a defendant in less than 48 hours.

g. Invasion of the Home

Despite the constitutional guarantee of the inviolability of the home, there continue to be numerous reports of forced entry into homes without a warrant. A substantial number of these reports involve political and religious dissidents.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

In practice, there are no civil or political liberties beyond those allowed by the Communist Party and Government. The Constitution guarantees the full range of political and civil liberties, but prohibits the use of such liberties "for aims hostile to the socialist system," and thus restricts their practice to conform strictly with the views of the Government and the party. All civil and political expression is closely monitored. Independent criticism, open discussion of political, social, or economic conditions, or advocacy of change in any of those spheres is not tolerated. Any overt challenge to basic party policies or senior political personalities is normally met with harsh reprisal.

The printed word is government-controlled, and Western publications are only rarely available. Some entities, such as certain religious groups, are allowed to publish non-government-sponsored materials, but such publications are few in number and always within the guidelines set by the Government. Unauthorized importation or distribution of literature of any sort is strictly forbidden and has resulted in substantial fines and prison terms, particularly in cases involving Bibles and other religious literature. Several Romanian Christians were imprisoned during 1982 for distributing Bibles without the authorities' consent. Eleven ethnic Hungarians allegedly were arrested in November for publication of an underground journal, "Ellenpontok" or "Counterpoint." The eighth issue reportedly was sent to the Madrid Conference on Security and Cooperation in Europe and claimed that Hungarians in Romania were threatened with cultural extinction.

b. Freedom of Peaceful Assembly and Association

No assemblies may be held, or organizations or associations formed, without government approval. There are no organizations or associations which actively encourage thought or expression beyond that permitted by the Communist Party and the Government. Although trade unions exist and play a limited role in management-labor relations, they are controlled by the party and Government and have little latitude or influence in defending the interests of the workers. Efforts to establish the independent SLOMR labor union in 1979 were harshly suppressed. As economic conditions have worsened and public concern regarding government policies and practices has increased, official controls on public assembly and associations have become more restrictive. The Government discourages unregulated contacts with foreigners and requires such contacts to be reported to the authorities within 24 hours. Two American pastors were expelled from Romania in 1982 for unauthorized contact with their co-religionists. Attendance at functions sponsored by foreigners is carefully controlled, and regular attendance has led to interrogation, detainment, and occasionally to physical abuse. Telephone calls, particularly international calls, are monitored, and there is evidence that international mail is routinely opened, perused, and sometimes destroyed. In the last year there have been indications that the Government has increased its efforts to discourage Romanian contacts with foreigners at all levels. In 1982, a tax equivalent to 20 percent of an average monthly salary was added to citizens' telephone bills when more than one call was made to a destination outside of Romania.

c. Freedom of Religion

Both the Government of Romania and the Communist Party staunchly support atheism and, despite constitutional guarantees of freedom of religion, regularly discourage religious activity. Nevertheless, the Government recognizes and financially supports the activities of 14 officially-registered religious denominations active in the country. Among these are the Romanian Orthodox, Roman Catholic, Lutheran, Calvinist, Unitarian, Baptist, Pentecostal, and Seventh Day Adventist churches, and the Jewish and Muslim faiths. The vast majority of Romanian believers belongs to the Romanian Orthodox Church. Despite government opposition, the open expression of religious beliefs is widespread throughout the country. Although people belonging to the "recognized" denominations may attend services freely according to the law, some of those who are religiously active experience government harassment and discrimination, such as transfer or loss of jobs, reduced salaries, demotions, arbitrary detention, and prolonged interrogation by the police.

Non-recognized denominations active in Romania include the Jehovah's Witnesses, the Mormons, and the Christian Scientists. The Romanian Uniate Church (affiliated with the Roman Catholic Church) was proscribed in 1948 and is not officially permitted to function today. Some of its members try to participate in the Roman Catholic Church, where possible. Members of non-recognized denominations are not permitted to practice their faith in public and face greater government repression than do members of the recognized religious groups.

There are well-documented reports that some Protestant groups, such as Baptists, Pentecostalists, and Seventh Day Adventists, although recognized by the Government, are frequently harassed when they seek to gain converts outside of church buildings or when they resist laws which they believe are in conflict with their faith. Some of their ministers and members have been jailed, abused in prison, and forced into exile. Sectors of other recognized denominations, most notably the "Lord's Army" renewal movement within the Romanian Orthodox Church, have been subjected to equally severe official treatment for their failure to comply with government policies and practices.

The Department of Cults, which serves as the government liaison with recognized churches at the national, regional and local levels, requires permits for churches to organize or for the construction or expansion of church buildings. Few such permits are issued. Smaller religious denominations, particularly the Baptists, complain of government unresponsiveness to repeated requests for building permits, even to allow congregations to construct or repair church buildings at their own expense. Church buildings constructed or repaired without government permission have been closed or occasionally torn down.

The Romanian Orthodox Church has slightly more than 10,000 priests and slightly fewer than 10,000 churches. The Church's six seminaries have between 1,600 and 1,800 students. The country's only Baptist seminary, which normally accepts new students every two years and currently has five students enrolled, reportedly has not admitted students this year, as scheduled. According to current estimates, fewer than 300 Baptist pastors serve over 1,000 churches. The Pentecostal Church has approximately 200 pastors for about 1,000 churches. It also has five students in its four-year seminary, and no new students have been admitted in the past two years. The Seventh Day Adventist Church has an average of one pastor for each four or five of its more than 500 congregations. The Adventist seminary, which currently has ten students, has been instructed not to accept new students. Since there is no rabbinical seminary, Jewish rabbis must be trained abroad.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Romanians may travel freely throughout the country. However, they must obtain official approval to change their permanent residence. Passports for foreign travel are difficult to obtain, and relatively few Romanians are allowed to travel abroad, especially to non-socialist countries. The Government maintains a strong anti-emigration policy and contends that Romanian citizens do not have the right to move permanently from their native land. The Government regards emigration as a betrayal of the country and uses a wide variety of means to discourage it. The administrative, social, and economic sanctions which have been imposed against intending emigrants include forced transfers or loss of jobs, demotions, reductions in salary, and other forms of discrimination. Under Romanian law, leaving or attempting to leave the country without official permission is a crime punishable by six months to three years in prison. According to government data, the total number of applications for emigration approved each year has about doubled since 1972, exceeding 18,000 in 1981. However, in October 1982 the Government announced the enactment of a decree requiring emigrants to repay in convertible currency the cost of their education from the secondary level on. This and other provisions of the decree, which had not been fully implemented by the end of 1982, have as one apparent aim the slowing of Romania's "brain drain".

The Romanian Government permits some emigration for family reunification and in "humanitarian cases". It also allows the emigration of Jews to Israel and ethnic Germans to the Federal Republic of Germany, mostly on a family reunification basis. Largely due to emigration, the Jewish population of Romania has declined from approximately 450,000 people at the end of World War II to about 32,000 today. Approximately 10,000 ethnic Germans have departed annually for the Federal Republic of Germany since 1977.

e. Freedom to Participate in the Political Process

Political power is the monopoly of the Communist Party. Opposition to the party is strictly prohibited. The Romanian Communist Party is proportionately the largest in the world, numbering over three million in a population of 22.4 million, and virtually no one is barred from consideration for party membership. However, rank-and-file members have little influence in the decision-making process. Power in the party is concentrated at the top and especially in its secretary-general, Nicolae Ceausescu, who is also the president of the country. The various ethnic minority groups in Romania are represented at every level of the party structure. Their numbers are generally proportional to their share of the total population, but their influence, especially at the higher levels, is slight.

Romanian women participate at all levels of the party and state structure, but at the higher levels of government, party, and the economy their numbers are small. The Government is seeking to upgrade the role of women in the society, especially in the areas of education, access to employment, and comparable wages. As a result, women are employed in virtually all sectors of the economy, and there is equal opportunity in education.

The Romanian Constitution forbids any discrimination on the basis of ethnic background and guarantees the use of minority languages in books, newspapers, magazines, theaters, and education. When a minority group is present in large numbers in a geographic region, the use of its language in government and economic institutions is also protected. The Government claims it does not discriminate against the minorities, which comprise about 12 percent of the population. Nonetheless, there are limitations on minority groups' free expression of their cultural heritage. Government efforts to centralize and to economize by combining educational, social, and cultural activities frequently affect minority groups disproportionately and are often interpreted as the "Romanianization" of these groups. For example, the mergers of schools, theaters, or other such institutions often result in the loss of the minority ethnic groups' characteristics as the institutions become predominantly Romanian. This movement is viewed as cultural extinction by ethnic Hungarians, several of whom were arrested in November for publishing the underground "Ellenpontok," which attacked the Government's minority policies and practices.

Provision of government services for Romania's minority groups reflects these limitations. German and Hungarian-language radio programs are broadcast for several hours daily; however, television broadcasts in these languages are limited to three hours or less per week. German and Hungarian-language theaters and a Hungarian-language opera also exist. Minority language newspapers are readily available in Bucharest and in areas where minority groups are concentrated, although fewer such newspapers are published than in previous decades. The importation of all publications, including those in the Hungarian and German languages, is strictly controlled. Bilingual signs are uncommon even in areas where non-Romanian ethnic groups are in the majority, except for occasional street signs or those identifying public buildings.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Romanian Government does not regard its treatment of its citizens as a subject for international discussion. Amnesty International has noted its concern about Romanians arrested for attempts to leave the country illegally and imprisoned for religious dissent. Amnesty International has also continued to seek the release of Father Gheorghe Calciu-Dumitreasa, sentenced for "conspiracy" in the founding of the SLOMR labor union in 1979. The Romanian Government does not answer inquiries regarding Father Calciu's conditions of imprisonment. The World Confederation of Labor (WCL) in Brussels filed a complaint in July 1981 with the International Labor Organization's Committee on Freedom of Association, requesting an ILO investigation into the arrests of SLOMR members, the whereabouts of the SLOMR leadership, and the alleged transfer of 3,000 miners in the 1977 Jiu Valley strike. During 1982, the ILO reported that it did not have sufficient information to answer the WCL's request, and that it was asking the Government of Romania for further information on the questions raised by the WCL. In October 1982, a joint US-Romanian consultation on emigration procedures held in Bucharest included discussion of human rights matters.

4. Economic, Social, and Cultural Situation

Romania is officially designated a "developing country" by the World Bank. With a population of 22.4 million at the end of 1981, Romania's per capita GNP was just over $2,100. From a largely agrarian economy at the end of World War II, the country has reached its present semi-industrialized state principally by maintaining extremely high rates of capital investment and by restricting consumption. By 1982, faced with rising costs for imports, energy shortages, and the requirement to repay large foreign debts, the national economy began to shift slightly from its previous heavy emphasis on rapid industrialization to a somewhat lower investment rate and increased attention to agriculture.

In 1981, 47 percent of the population lived in cities and towns. Rapid population shifts since 1948 have contributed to housing problems in urban areas, and the construction of apartments lags behind the Government's announced and highly ambitious targets. In 1980, average living space per inhabitant was reported as 9.7 square meters, with 1.41 persons per room.

According to Romanian law, all land belongs to the state. There are, however, provisions under which 9.4 percent of the country's agricultural land is allowed to be held by private citizens. In 1980, 60.6 percent of the agricultural land was used by agricultural cooperatives and 30 percent by state farms. Other property, including personal property and housing, may be privately owned, although there are a number of restrictions on the right to property. Economic enterprises are state-owned, except for a few services and handicraft shops.

The Romanian Constitution guarantees employment to all citizens and equal pay for equal work. While official records show full employment, in practice there is chronic underemployment, especially in the agricultural sector.

Romanian data indicate that in 1981, $6.75 billion was allocated from the budget for education, culture, sports, health, social assistance, pensions, family allocations and social security. According to 1980 statistics, average life expectancy was 71.1 years. In 1981 infant mortality was 30.3 per 1,000 live births. There were 9.3 hospital beds per 1,000 inhabitants (excluding maternity hospitals and sanitaria), and the number of doctors per inhabitant stood at one per 538. Ten years of education is compulsory and provided without charge by the state. Beginning with the third year of secondary education, competitive examinations are held for the limited places available at both the secondary and the university levels. Evening courses and work-study programs are available to students at technical institutes. The World Bank reported a literacy rate of 98 percent as of 1976. An official government estimate in July 1982 placed the average daily caloric intake in Romania at 3,300 calories. The Government's report called for a reduction to 2,800-3,000 calories per day by 1985 in order to promote more healthful diets, reduce average weight, and prolong lifespans. Romanian food markets are frequently plagued with severe shortages, especially of meat, eggs, fish, and dairy products, including milk. This raises the question of nutritional deficiencies, particularly for infants, the elderly, and homebound, who are also affected by long food lines for many essential foods. Shortages have intensified in recent years because of poor harvests and distribution, inadequate storage facilities, and the increasing need to export food to finance imports. Measures now exist to punish those who hoard food. Certain food items are rationed, but this varies from region to region. The foodstuffs and consumer goods kept for the domestic market are inferior in quality to those exported for hard currency.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: ROMANIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
OTHER US LOANS..........	55.0	120.7	0.0
EX-IM BANK LOANS.......	30.0	120.7	0.0
ALL OTHER..............	25.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	325.3	435.0	195.5	2202.1
IBRD	325.0	435.0	195.5	2183.6
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.3	0.0	0.0	18.5
OTHER-UN	0.0	0.0	0.0	0.0
EEC	0.0	0.0	0.0	0.0

SPAIN

Spain's Government is a parliamentary democracy within a constitutional monarchy. Parliament is the policy-making body established by the Constitution. Three general elections have been held since the 1975 death of Spanish dictator Francisco Franco. The Union of the Democratic Center, a coalition of center-right parties, governed from the first elections in 1977 through 1982. In the most recent elections held in October 1982, the Spanish Socialist Worker Party won an absolute majority of parliamentary seats. These elections demonstrated Spain's continuing commitment to democratic government. Voter participation was an unprecedented 79.5 percent, with more than 50 national and regional parties participating, spanning the political spectrum from ultra right to far left.

Most elements of current Spanish society--including the King, the Catholic Church, and all major political parties--are committed both in principle and in practice to the realization of a democratic Spain, where human rights are protected. Basic freedoms of speech, press, religion, assembly, movement, and participation in the political process are respected in Spain.

The Spanish Constitution of 1978 protects all basic human rights. Controversial statutes exist, however, within the constitutional framework. One of the most controversial is the anti-terrorist law enacted by Parliament. This law provides for a 10-day incommunicado detention period of an arrestee suspected of terrorism or affiliation with terrorists. Many human rights activists see this detention period, during which the detainee is deprived of legal counsel, as a serious human rights violation. Government officials, on the other hand, believe that the law is necessary to cope with the indiscriminate killings carried out as a matter of policy by the Basque Fatherland and Freedom movement.

Human rights trends in Spain, both long-term and short-term, are postive. As the ruling party until the past elections, the Union of the Democratic Center advocated the protection of human rights both at home and abroad. The new Socialist Government also has emphasized the protection of human rights.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Of the human rights violations that occur in Spain, political killings have received the most attention. These have been almost exclusively terrorist acts, usually committed by the Basque terrorist organization. The attacks are primarily motivated by Basque separatist goals.

Occasionally, the Government's security forces also have been involved in politically-motivated killings. One case of particular note is the Almeria case. In 1981, three Civil Guards allegedly killed three youths suspected of belonging to the Basque terrorist group. The guards were arrested, tried, convicted, and sentenced to 24, 15, and 12 years respectively. The Civil Guards remained confined at the end of 1982, pending their appeal. The case is significant, because such punishment for a human rights abuse never occurred during the Franco regime.

b. Disappearance

Terrorist abductions occur in Spain, but there are no known cases of abductions, secret arrests, or clandestine detentions by official forces or by factions whose activities are condoned by the Government.

c. Torture

The Spanish Constitution categorically forbids the use of torture and guarantees the "right to life and to physical and moral integrity." Periodic reports of torture of Basque terrorists by the Spanish police continue to be heard, but there have been no documented cases during 1982. A 10-day incommunicado detention period permitted under the anti-terrorism law is seen by some as an opportunity for torture.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Cruel or inhuman punishment is prohibited by the Constitution, but allegations of ill treatment (almost exclusively from Basque sources) continue. Overcrowding of prisons is also a problem. This has been reported frequently in the press, but it is generally recognized that a solution will take time. Aside from overcrowding, prison conditions are adequate. All prisoners are treated equally.

The length of pre-trial detention in Spain is of concern to many legal observers. There is presently no uniform fixed term applicable to prisoners in this category, and they may be held indefinitely, with the proviso that detentions may not exceed the maximum possible sentence. The Minister of Justice has proposed that "an across the board" limit of one year or the maximum possible sentence, whichever is shorter, be set as the maximum pre-trial detention period.

e. Arbitrary Arrest and Imprisonment

There have been no documented cases of arbitrary arrest and imprisonment, although accusations have been made. The Constitution prohibits arbitrary arrest and imprisonment. Though the Constitution provides for habeas corpus, a law regulating the habeas corpus procedure has not yet been drafted. The newly elected Socialist Government has indicated it will introduce habeas corpus legislation.

Preventive detention for investigation does exist in Spain, but legally may not (and in practice does not) exceed 72 hours.

f. Denial of Fair Public Trial

The Constitution guarantees the right to a fair public trial, and this right is respected in practice. The defendant has the right to effective legal counsel except in those cases involving the 10 day incommunicado detention period. In these latter cases, however, the detainee is allowed access to legal counsel upon termination of the incommunicado period.

According to Spanish law, an arrestee must be released or presented to a judicial authority within the first 72 hours of police arrest. The court then has an additional 72 hours to determine whether the suspect will be released or indicted.

The Spanish legal system operates independently of the executive and military, as specified in the Constitution.

Since Franco's death, political and security courts have been abolished, and only normal civilian and military courts exist. Currently, civilians may only be tried in military courts for offenses they have committed on military installations. In such cases, the Spanish code of military justice is followed.

Defendants may always appeal verdicts to the next highest court until they reach the Supreme Court, the court of last resort.

g. Invasion of the Home

The Constitution provides that the home is inviolable and that entry is forbidden unless permitted by the owner or by court order, except in cases of flagrant crimes. It allows, however, for the suspension of these provisions in individual cases, specifically those involving terrorism, but only during declared states of emergency or siege.

Under normal circumstances, a search warrant is required before officials may enter a private residence. These are issued by the criminal court. If officials wish to search the residence of military personnel, the warrant must be issued by a military court.

Forced entry has not been credibly alleged during 1982. Other privacy violations of the home, such as bugging, do occur but only with court authority. Cases in which such practices have been authorized involved terrorism and, more recently, alleged coup-plotting.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech and the press is protected by the Constitution and is observed in practice. Opposition viewpoints are freely ventilated both in common speech and in the media, and they are tolerated by the Government. The Director of the state-owned Spanish Radio and Television Network is appointed by the Government, and the network operates under the supervision of a Parliamentary oversight committee. Although the Spanish press is also subsidized by the Government, the Spanish media are essentially independent and free to criticize the Government.

b. Freedom of Peaceful Assembly and Association

The right to assemble freely is a constitutional right and one which is exercised by all political groups. Labor unions in Spain are active and are free to organize, strike, and negotiate as stipulated in the Constitution. They are allowed to maintain relations with recognized international bodies in their fields. Spanish trade unions are not government-controlled, nor influenced or subjected to official harassment. Approximately 18-20 percent of the Spanish work force is unionized. One major issue between the Government and the unions is the patrimony question. Union property was seized by the Franco regime and became state property under the Franco system of "vertical" unions. Union and employer associations have sought reinstatement of their property but the issue is complex, and a mutually acceptable settlement has not yet been reached.

c. Freedom of Religion

There is no state religion in Spain, and open practice of all religions is permitted. Catholicism is the predominant religion in Spain, but other religions are represented and function with full freedom. There have been no registered incidents of religious harassment, persecution, or discrimination. Adherence to a particular faith does not by itself confer either advantage or disadvantage to one's secular status.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Domestic movement and foreign travel by Spanish citizens are not impeded by the Spanish Government. People are allowed to travel freely and as often as they wish. There are no restrictions placed on residence in certain areas of the country or in the cities. Emigration and repatriation are not restricted by the Spanish Government, nor does the Government force refugees to return to the homelands from which they have fled. Spain has accepted, prior to 1982, large numbers of Latin American refugees and smaller numbers of Indonesian refugees. Spanish citizenship cannot be revoked if acquired by birth. It can, however, in accordance with Spanish law, be revoked if acquired by other means.

e. Freedom to Participate in the Political Process

Spain is a parliamentary democracy with multiple parties and candidates. Elective positions are contested in Spain as in other democratic countries. Opposition groups exist openly and actively participate in the political process.

Spanish citizens at least 18 years old are eligible to vote and elections are free. The Constitution guarantees complete equality for women, but cultural and societal factors still inhibit women from enjoying equal participation in all aspects of Spanish society.

Some minorities in Spain, particularly the gypsies, are not fully integrated into Spanish society.

A potentially important political role is that of the Public Defender, whose duty will be to investigate complaints of violations of basic constitutional rights and seek corrective action in the courts. He may independently launch full-scale investigations into any area of public administration in which complaints lead him to believe there is probable cause for suspicion of maladministration. His services are free, and no lawyer is necessary to make a direct appeal to him. The position was authorized by the Constitution, but only recently instituted by the new Socialist Government.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Spain participates in the human rights body of the Council of Europe and is an active member in (and is host for) the ongoing Conference for Security and Cooperation in Europe, which monitors the observance of the human rights issues endorsed in the Helsinki Accords. The Spanish Government has allowed investigative groups to enter its borders, openly tour the country, and report on the status of human rights. In Spain, it is generally individuals rather than organizations who work to protect individual liberties. Most of these individuals are concerned citizens or lawyers, who hear of human rights cases from affected families or other sources and then investigate them independently. An Amnesty International group visited the Basque Provinces in April 1982 to investigate allegations of torture. The human rights organization has since called on the Spanish authorities to investigate immediately allegations of ill-treatment and torture following the arrest of four men in March. Amnesty International found that the allegations provided a substantial prima facie case for a full government investigation.

4. Economic, Social, and Cultural Situation

Spain has a market economy with significant government intervention. It is a mid-level industrial country which produces a wide variety of products at various levels of technology and sophistication, ranging from the rudimentary to modern. Its 1981 gross domestic product (GDP) was $186 billion. The national unemployment rate is currently 15.9 percent.

The Spanish Constitution guarantees the basic rights of work, private property, food and shelter, health care, and education. The following statistics provide a general indication of Spain's standard of living. Spain's population in 1981 was 37,732,000 and growing at an annual rate of 0.8 percent. GNP per capita is $5,354. Life expectancy at birth is 73.4 years, and the infant mortality rate is 13.2 per 1000 live births. The adult literacy rate is 90.2 per cent (1970) and the primary school enrollment ratio is 109 (1977). The percentage of the population with access to safe water is 77.6 (1970) and the ratio of calorie supply available for consumption relative to nutritional requirements is 128 percent (1977).

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: SPAIN

	1980	1981	1982
I.ECON. ASSIST.-TOTAL	7.0	7.3	22.0
LOANS	0.0	0.3	0.0
GRANTS	7.0	7.0	22.0
A.AID	7.0	7.0	22.0
LOANS	0.0	0.0	0.0
GRANTS	7.0	7.0	22.0
(SEC.SUPP.ASSIST.)	7.0	7.0	22.0
B.FOOD FOR PEACE	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
TITLE I-TOTAL	0.0	0.0	0.0
REPAY. IN $-LOANS	0.0	0.0	0.0
PAY. IN FOR. CURR	0.0	0.0	0.0
TITLE II-TOTAL	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY	0.0	0.0	0.0
C.OTHER ECON. ASSIST	0.0	0.3	0.0
LOANS	0.0	0.3	0.0
GRANTS	0.0	0.0	0.0
PEACE CORPS	0.0	0.0	0.0
NARCOTICS	0.0	0.0	0.0
OTHER	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL	125.9	126.2	127.0
LOANS	120.0	120.0	125.0
GRANTS	5.9	6.2	2.0
A.MAP GRANTS	3.8	3.6	0.0
B.CREDIT SALES-FMS	120.0	120.0	125.0
C.INTL MIL.ED.TRNG	2.1	2.6	2.0
D.TRAN-EXCESS STOCK	0.0	0.0	0.0
E.OTHER GRANTS	0.0	0.0	0.0
III.TOTAL ECON. & MIL	132.9	133.5	149.0
LOANS	120.0	120.3	125.0
GRANTS	12.9	13.2	24.0
OTHER US LOANS	67.5	91.9	37.8
EX-IM BANK LOANS	66.5	91.9	37.8
ALL OTHER	1.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL	0.0	0.0	40.0	477.7
IBRD	0.0	0.0	0.0	416.3
IFC	0.0	0.0	0.0	11.2
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	8.6
OTHER-UN	0.0	0.0	0.0	1.6
EEC	0.0	0.0	40.0	40.0

SWEDEN

Sweden is an advanced, industrial democracy, whose King is Chief of State but has no political power. Executive authority is vested in the cabinet, consisting of the Prime Minister (Head of Government) and some 20 Ministers. The unicameral parliament (Riksdag) has 349 members elected directly every three years, and the five political parties presently holding seats are proportionally represented. The Social Democratic Party under Olof Palme won the latest election in September 1982 and formed the current Government.

Sweden has one of the highest standards of living in the world, with an extensive welfare system and a mixed economy. Worldwide recession has affected Sweden's economic performance in recent years, but in no way diminished this society's ability and willingness to meet all the basic needs of its citizens.

The fundamental political freedoms and human rights of Swedish citizens are guaranteed by the Constitution and protected by the Government. Swedes and Swedish offical consider the observance of human rights a cornerstone of their society, which occupies a prominent position in international efforts to enhance human rights. Private persons here have recourse to Ombudsmen, appointed by Parliament with full autonomy, who investigate complaints of possible human rights violations by officials.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Respect for human life is high in Sweden. The Government, political parties, and public regard killing for any reason unacceptable. Capital punishment was abolished decades ago. A highly effective security apparatus reduces the potential for terrorism, although rivalry between immigrant groups produced two political murders in 1982.

b. Disappearance

There have been no reports of abduction, secret arrests, or clandestine detention by Swedish authorities. They had no role in the case of a Saudi diplomat's daughter, who allegedly was forced by her family to return home and marry against her will.

c. Torture

Freedom from torture is guaranteed by law and respected in practice.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Freedom from these abuses is guaranteed by law and respected in practice. The deportation by authorities of 24 Chileans roused complaints (domestically and to the Council of Europe), as those who resisted expulsion were handcuffed and given sedative injections at the airport. Investigations by a Swedish Ombudsman and the Council are underway.

e. Arbitrary Arrest and Imprisonment

Guarantees with respect to the integrity of the person are rigorously enforced. However, habeas corpus does not exist. Individuals disturbing the public order or thought to pose a danger to others or themselves may be held for six hours without charge. Criminal suspects may be held temporarily under the same procedure, but cannot be detained longer than 12 hours without formal charges. If a person files for bankruptcy and refuses to cooperate with the official investigation, a court can order detainment for up to three months (with judicial review every two weeks).

f. Denial of Fair Public Trial

The Swedish Constitution forbids deprivation of liberty without public trial by a court of law. Every citizen has the right to effective counsel. The judiciary functions freely and independently of the Executive. There are no military courts in Sweden in peacetime.

g. Invasion of the Home

Freedom from arbitrary invasion of the home is guaranteed by law and respected in practice. Searches are legally limited to cases in which the suspect is believed to have committed a crime punishable by at least two years' imprisonment. Wiretapping is limited to cases involving narcotics or national security. With certain exceptions (when time is crucial), searches and wiretaps require court approval.

2. Respect for Civil and Political Rights Including:

a. Freedom of Speech and Press

Swedes enjoy the full exercise of these freedoms. The visual media are censored for excessive violence.

b. Freedom of Peaceful Assembly and Association

Swedes enjoy the full exercise of these freedoms. A permit from the police is required for demonstrations (of which there are many) and applications are routinely approved, though practical concerns occasionally motivate restrictions on time and place.

c. Freedom of Religion

Swedes enjoy full religious freedoms. A national church supported by public funds exists, but in no way inhibits the observance of all faiths.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

There is freedom of movement within and from the country, as well as a right of voluntary repatriation. There has been a small net migration in recent years. Sweden maintains quotas for admission of refugees, a status entailing numerous benefits. Political asylum is granted without respect to quotas.

Immigration to Sweden consists of roughly equal numbers of Nordic and non-Nordic citizens. There is free immigration for the former. Family reunification is responsible for the majority of the non-Nordic immigrants. Refugees and asylum seekers have come largely from Latin America, but also from Eastern Europe, Vietnam, and elsewhere. The annual total number has ranged from 3-4,500 in recent years; the host country has slightly over 8 million inhibitants.

e. Freedom to Participate in the Political Process

Sweden has a long history of peaceful, democratic political life and a vigorous multi-party system. There is universal suffrage over age 18. Although voting is not compulsory, about 90 percent of the eligible voters usually participate in national elections. Aliens who have been legal residents for at least three years have the right to vote and run for office in municipal and national elections. Labor is free to organize, and workers have the right to strike. A large majority of the working population belongs to trade unions, including career military personnel and civilan government officials. Unions and union associations direct their own activities. Women enjoy legal equality in Sweden and participate fully in the country's political, economic, and social life.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Sweden works actively at the United Nations and the Council of Europe to promote international observance of human rights. Government agencies are in close contact with Amnesty International, the International Committee of the Red Cross, church organizations, and a variety of other private and public groups working in Sweden and abroad for the same purpose.

Sweden supports the principle of independent outside investigations. In September, the European Court ruled against Sweden for the first time concerning the country's expropriation procedures which in two cases, according to the judgment, denied building owners the full enjoyment of their property. Swedish officials expect the Government to pay damages and adjust the law. Several private complaints against Swedish governmental practice are pending before the human rights commission.

4. Economic, Social, and Cultural Situation

Sweden enjoys an exceptionally affluent standard of living, with a per capita GNP of $13,472 in 1981. Life expectancy at birth is among the world's highest and the infant mortality rate among the lowest. Virtually the entire population is literate, with no discrepancy between males and females.

Swedish policies for meeting basic needs for food, shelter, health care, and education have been very successful. Social welfare and medical services, benefits to families, pensions, and disability and unemployment insurance are all provided. The taxation system is designed to even the distribution of wealth among all segments of the population. Unemployment reached post World War II highs in 1982 (over three percent of the workforce) and emerged as the primary issue of the election campaign. It is a problem Swedish governments work actively to curb. Institutionalized efforts continue to extend equality between the sexes. There is a public ombudsman for equal employment opportunity; legal protection of the right to equal pay for equal work; and public education to break down patterns which associate men and women exclusively with specific jobs.

Government practice and popular attitudes encourage a wide variety of cultural expression, both from native Swedes and immigrants. About 414,000 foreign nationals live in Sweden as legal immigrants, of whom about 234,000 are employed. They enjoy welfare benefits and legal protection as if they were citizens. The Swedish Government runs special programs to help immigrants adjust to Swedish life and culture (including 240 hours of paid language instruction) and encourages the press to assure acceptance of immigrants by the Swedish public at large. Several anti-immigrant incidents (including intimidation and violence) in 1982 prompted swift remedial action by authorities, and there has been self-critical soul-searching by the press and many Swedes. There are effective legal procedures to counter allegations of discrimination, which the Government carefully investigates.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: SWEDEN

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE........	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL...........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL..........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS...........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
OTHER US LOANS..........	14.9	11.3	0.0
EX-IM BANK LOANS.......	14.9	11.3	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	0.1
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	0.0
OTHER-UN	0.0	0.0	0.0	0.1
EEC	0.0	0.0	0.0	0.0

SWITZERLAND

Switzerland, with its ancient and deep-rooted democratic traditions, remains a bastion of individual freedom and human rights. This freedom is fully guaranteed under the Swiss Constitution. Swiss social and political institutions are designed to provide citizens with the necessities of life and the Swiss enjoy, as a result, one of the highest standards of living in the world today.

Switzerland's federal structure, in which the cantons retain a large degree of autonomy, and the wide linguistic and religious diversity of the country have generated a system of consensus. All decisions or significant changes in policies directly affecting Swiss citizens are taken only with the consensus of the majority of Swiss citizens by means of referenda.

Under the Swiss federal system, there is considerable involvement in human rights matters by the cantons. This involvement, however, is limited by federal legislative and constitutional guarantees, which afford all defendants the right to appeal to the federal courts if they believe that their constitutional rights or due process have been violated in the cantonal courts. Switzerland complements its excellent human rights record through its role as the seat of many international organizations concerned with humanitarian affairs and its traditional support for refugees.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There are no reports of killings in Switzerland attributed either to the Government, federal or cantonal, or to opposition and terrorist groups.

b. Disappearance

There have been no allegations of persons being abducted, secretly arrested, or held in clandestine detention.

c. Torture

Freedom from torture is guaranteed by the Constitution, and there have been no allegations of persons being tortured.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Freedom from cruel, inhuman, or degrading treatment or punishment is guaranteed, and there have been no allegations of cruel, inhuman, or degrading treatment. The Swiss Constitution prohibits corporal punishment.

e. Arbitrary Arrest and Imprisonment

Habeas corpus does not exist in Switzerland in the same form as in common law countries. However, freedom from arbitrary arrest and imprisonment is guaranteed by law. A detained person may not be held longer than 24 hours without a warrant of arrest issued by the judge conducting the preliminary investigation. Once the warrant is issued, the individual may be detained as long as necessary until the investigation is completed. However, the length of investigative detention is always reviewed by higher judicial authority, and traditionally, investigations are conducted within a very brief period. A suspect must immediately be shown the warrant under which he or she is being held, and he has a right to contact legal counsel as soon as an arrest warrant is issued. Bail, or release on personal recognizance, is traditionally granted, unless the examining magistrate believes the individual is a danger to society or will not appear for trial. Minor cases are tried by a single judge; difficult cases by a panel of judges; and murder or other serious crimes by a public jury. According to long-standing tradition in Switzerland, even the most serious cases are usually brought to trial within several weeks or, at the most, a few months.

f. Denial of Fair Public Trial

There have been no allegations of denial of fair public trial in Switzerland. The court system is an independent branch of the Government, and fair, public trials are guaranteed by the Swiss Constitution.

g. Invasion of the Home

Freedom from invasion of the home is guaranteed by law. A magistrate's warrant is required in order to enter a private residence. There have been no allegations of violations of the home by the Swiss authorities.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Switzerland has no restrictions on political expression, whether speech or press, except those placed on groups considered a potential threat to the confederation. No such groups are currently designated. An area of continuing concern is the rights of linguistic minorities. From time to time, there are concerns expressed by the representatives of the Italian and Romansh linguistic groups that their languages do not receive the same support from the authorities as do German and French, the other national languages. The Government has generally been responsive to these concerns and has tried to meet them in an appropriate manner.

b. Freedom of Peaceful Assembly and Association

Switzerland places no restrictions on peaceful assembly and association. However, generational conflict has resulted in some street violence in the recent past. In a few instances, involving demonstrations mostly by young people, the police have been criticized for a tendency to react violently to social protest, and their actions have been forcefully condemned in parliamentary interventions and by the media.

c. Freedom of Religion

In Switzerland there is absolute religious tolerance. Freedoms of creed and conscience are guaranteed by the Constitution. There are constitutional guarantees to ensure that no religious group can have a dominant role in the society. Related to the freedom of religion is the issue of universal military service by Swiss men, since Swiss law provides no exemption for reason of conscience. Over the last ten years there has been an almost 100 percent conviction rate for refusal to accept induction for reason of conscience. Concern has been expressed by some Swiss, as well as by Amnesty International, with regard to this situation. Recently, steps have been taken by members of the Swiss parliament to initiate a change in the Swiss Constitution which would provide alternative service for those who wish to claim exemption for reason of conscience.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Constitutional guarantees assure freedom of movement within Switzerland, foreign travel, emigration, and repatriation. About 30,000 refugees currently are settled in Switzerland.

e. Freedom to Participate in the Political Process

Switzerland has a highly developed constitutional democracy. Federal legislative power is vested in a bicameral legislature elected by universal suffrage. Although Swiss women have the federal franchise, the electors in two small half-cantons have not yet granted full voting rights to women for local issues. Labor has full freedom to organize, strike, and to make its influence felt through the political process. The strike option is rarely envoked, and Swiss labor relations are characterized by "industrial peace".

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

There have been no requests during recent decades for outside investigations of the human rights situation in Switzerland.

4. Economic, Social, and Cultural Situation

The Swiss Government is committed to ensure that the vital needs of the entire Swiss community are fulfilled. This commitment is shared by the cantons, voluntary organizations and private industry, all of which play an essential role in providing for the welfare of all Swiss. There is a fair distribution of wealth among the strata of Swiss society; its per capita GNP of $16,439.6 (1980) is the highest in the industrialized world. Health services are easily available and of superior quality; the infant mortality rate is 8.5/1000, and life expectancy at birth is 75.1 years. Unemployment is of minor significance, although during the last year the figure of .41 percent for unemployment has caused some concern, in a country where unemployment had previously been virtually non-existent. Education is free through the university level, but because of limited resources, is not accessible to everyone at the higher levels. The primary school enrollment ratio is 86% (1978), and the adult literacy rate is 99%.

Citizens have the right to own property. This right is strictly controlled with regard to real estate acquisition by foreigners.

The Swiss population growth rate of 0.3% is quite low, and as much as 15 percent of the total population of Swizerland is made up of foreign workers and their families. Swiss policy over the years has not comprehensively attempted to integrate the resident foreign workers into Swiss social services programs. This problem has been recognized by the federal authorities, which are now attempting to formulate policies to accomplish this aim. A referendum in June 1982, however, turned down a proposed law which would have liberalized the conditions for facilitating acquisition of permanent residence in Switzerland. Efforts are also being made to revise the law on asylum in order to improve the standing of refugees.

Women, who were granted a federal franchise in 1971, continue to make progress in achieving equal status with men in public life. They remain, however, under-represented in business and public occupations. As a follow-up to the June 1981 national referendum which approved the draft constitutional amendment calling for equality between the sexes in family relations, education and at work, the parliament is elaborating individual bills which would also guarantee full equality with respect to pay and property rights.

Both the federal Government and the cantons provide funds to ensure that cultural events are recognized and made available to the Swiss people. An area of concern remains the linguistic minorities. From time to time representatives of these groups express fear that the cultural traditions of their groups do not receive adequate support. The federal Government, always sensitive to the delicate balance of Swiss society, has been trying to resolve problems affecting linguistic minorities.

TURKEY

Turkey has a military Government which is in the process of restoring parliamentary democracy. On November 7, 1982, Turkish voters approved by a vast majority a new Constitution which was submitted to a national referendum by the ruling National Security Council. The new Constitution provides for basic human rights, many of which are presently curtailed.

The military commanders assumed power in a bloodless coup in September 1980 after a long period of mounting terrorist violence from both the extreme right and left, and political stalemate. Following the imposition of pre-existing martial law regulations over the entire country on September 12, 1980, the military authorities apprehended members and supporters of the heavily armed terrorist groups--more than 700,000 weapons, worth more than a billion dollars, were seized or collected--which had been responsible for more than 20 murders daily in Turkey. The Government of Turkey has acknowledged that there have been cases of torture of those arrested under martial law. The government has prosecuted a number of security personnel for inflicting torture.

The military Government also abolished Parliament and banned all political activity. In the fall of 1981, Head of State General Evren convoked a civilian Consultative Assembly to draw up a new Constitution and to function as a legislative body. In his 1982 New Year's message President Evren announced a timetable for a return to parliamentary Government, stating that following the November 1982 constitutional referendum, elections for Parliament would be held in the fall of 1983 or spring of 1984. The vote approving the Constitution in November also endorsed General Evren, whose candidacy was unopposed, as President for a seven year term. The next step is the enactment of laws for the formation of new political parties and for the election of Parliament. The new Constitution prohibits political activity by the former leaders of major political parties for a period of ten years, and bans members of the last parliament from forming new parties or holding any executive office in the new parties for a period of five years.

Since the September 12, 1980, military takeover, there has been a significant reduction in human rights violations due to terrorist activity. While some 32,893 acts of political violence occurred between December 1978 and the military takeover of September 12, 1980, only 6,959 such incidents occurred between September 12, 1980, and September 12, 1982.

In January 1980, Turkey's last civilian Government launched an economic stabilization program in response to the severe economic crisis. Later endorsed by the military Government, the program involved a realistic exchange rate for the Turkish lira, tight credit and monetary controls to fight inflation, and heavy emphasis on exports. As a result of the program, inflation has been reduced from over 100 percent to about 30 percent, and Turkey's economy has pulled out of its downward spiral and resumed a moderate rate of growth--a 4.4 Gross National Product (GNP) growth is expected for 1982.

Martial law continues in effect, giving martial law commanders broad powers over the press and other media, trade unions, and the right to assemble. Political freedom has been heavily curtailed, and several individuals, including former Prime Minister Bulent Ecevit, have been arrested and brought to trial for illegal political activity. Following the publication of the draft Constitution in July, however, both the press and most public speakers were able to exercise considerable freedom in criticizing the draft and the work of the Consultative Assembly until shortly before the referendum, when public criticism of the Provisional (i.e., transitional) Articles, but not of the draft Constitution, was prohibited. Political activity is banned until the enactment of new legislation on political parties and elections.

In light of the Turkish military intervention in 1974 and the continued presence of Turkish armed forces in northern Cyprus, Turkey plays a role in the human rights situation on that island. The report relating to Cyprus addresses this question.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There are no reports of the Turkish Government killing its opponents, except in the course of fire fights between security forces and armed terrorist groups, and, very rarely, the killing of a prisoner while attempting escape. Reports of dying while in custody will be treated below.

Politically motivated killings by private groups were very common before the military Government came to power in 1980. Such killings have now virtually stopped. Government statistics indicate that from December 26, 1978, (when martial law was first imposed in some provinces), until the takeover on September 12, 1980, for example, 3,546 persons, including 164 security officers and 146 terrorists, were killed. During the two years since the military takeover such deaths dropped to 285 persons, including 72 security officers. During the past year, press reports indicate that violent clashes between security forces and armed terrorist groups and politically related killings have continued, but at a much reduced level. Specific numbers are unavailable, but the estimated number of deaths during the past year is 75. For instance, in May 1982 a professor in Diyarbakir was shot to death in his office, and in June, a Palestinian of Jordanian nationality resident in Ankara was shot to death, in cases likely reflecting political motivation.

Armenian terrorist organizations have been active in killings both inside and outside Turkey. On August 10, two terrorists attacked persons waiting in the departure lounge at Ankara's Esenboga airport. That attack resulted in ten dead, including one American citizen. Lethal attacks against Turkish diplomats abroad--more than 20 Turkish diplomats have perished since 1973--increased in 1982, claiming the lives of 5 diplomats, including two in the United States.

b. Disappearance

There have been no disappearances caused by either Government or opposition elements.

c. Torture

The Turkish criminal code and the new Constitution, as well as that of 1961, forbid torture and prescribe severe punishment for violators. In March 1982, the Turkish Government issued a statement that "The September 12 (military) administration had been careful to stay within the rules of law. In spite of this, from time to time, instances of torture occur. The Government of the Republic of Turkey never approved of torturing those arrested and closely investigates every instance."

Some light is cast on the incidence of torture and the Government's efforts to halt it by the most recent Turkish Government report on anti-terrorist activities, issued in October 1982, which states that 540 allegations concerning torture or mistreatment of prisoners have come under investigation since the September 1980 military takeover through October 4, 1982; of these, 316 cases are continuing under investigation; 171 cases have been dismissed as groundless; 37 cases have been referred to the courts for prosecution; 16 cases have been completed. Seventeen persons are under arrest in such cases; 76 persons are at liberty pending completion of their cases; 34 have been acquitted; and 15 have been convicted. Further, according to the report, investigation of claims that 204 persons have died of torture between September 12, 1980, and October 4, 1982, shows four persons to have died as result of torture and 70 deaths from other causes. Investigations and judicial proceedings in 117 cases concerning these allegations are under way, and cases either for torture or mistreatment of prisoners have been opened against 108 security personnel. The present Government is believed to be the first in Turkish history publicly to admit that torture--a practice that existed under past civilian regimes--had occurred and to punish offenders. A recent example of government efforts to punish those involved in torture was the sentencing, announced in early December, of five Izmir policemen to 26-month terms.

In January 1982, Amnesty International issued a report that 70 persons had died from torture since the advent of the military regime. In March, the Turkish Government replied to Amnesty's presentation, admitting that 15 persons had died of torture and accounting for the others on the Amnesty International list. According to the Government statement, eleven cases in connection with the matter were under way while three cases, resulting in prison terms for nine security officers, had been completed. In a related development, the Minister of Justice announced reforms in penal administration, including special training for guards and other prison personnel.

Allegations of torture at Istanbul's Metris military prison in June 1982 and elsewhere, continue to be made. Amnesty International, the Council of Europe, and others have expressed concern over such reports. Torture does not seem to be tacitly condoned by the authorities. Turkish authorities have continued to investigate allegations of torture and publish their updated findings.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The 1982 Constitution closely follows the 1961 Constitution in stipulating that, "no punishment or ill-treatment incompatible with human dignity shall be inflicted." There appears to be no different treatment accorded prisoners on the basis of the type of crimes committed, or on the basis of social class, race, sex, or religion. According to reports in June 1982, several hundred prisoners, both rightest and leftist, at the Metris military prison in Istanbul went on a hunger strike to protest torture, mistreatment, and bad prison conditions.

Prisons in Turkey are inadequate. The continuation of the counter-terrorism campaign may add to this difficulty. Official Government statistics indicate the dimensions of the extra demand on Turkish prison capacity caused by this campaign. According to one report, the normal capacity of Turkish prisons is said to be about 50,000, while they now contain a total inmate population of 82,000. The Minister of Justice has reported efforts to alleviate overcrowding and other inadequacies of the prison system, in part through the construction of additional penitentiaries.

e. Arbitrary Arrest and Imprisonment

The new Constitution provides that a person taken into custody must be charged within 48 hours, but this period may be extended under a state of emergency or martial law. Martial law regulations presently in effect provide that a person may be detained without charge for a period of 30 days, which can be extended to 45 days. Previously the maximum period was 90 days. A recent report states that 56,486 persons have been detained for violating martial law provisions since the beginning of martial law in 1978. Of these, 52,788 were reported arraigned on charges, in Turkish legal usage "arrested"; 26,399 have been sentenced; 17,540 are currently under arrest with their cases at various stages in the judicial process; and 6,512 are now serving sentences. Turkish Government statistics indicate that nearly 37,000 have been arrested since the military takeover; this number includes an estimated 7,000 arrested during the past year. Most of the arrests are reportedly for terrorism or support of terrorist or extremist organizations.

While Turkish law has no explicit provision for habeas corpus, the rights of the arrested person in the new Constitution, including the right to arraignment, trial, or release within a reasonable time, and the notification of next of kin, and indemnification in the event of violation of these guarantees, serve similar functions. As in the old Constitution, the new Constitution permits investigatory detention in certain cases. Article 19 states: "Individuals, against whom there exists a strong presumption of guilt, can be arrested by court order for the purposes of preventing escape, or destruction or distortion of evidence, as well as in similar cases which necessitate detention, and in other circumstances specified by law. Apprehending an individual without a court order may be resorted to only in 'flagrante delicto' or in cases where delay is likely to thwart justice; the conditions for such detentions shall be stipulated by law." Recent Turkish Government statistics indicate that about 500 persons are under detention, that is, being held pending arraignment, subject to the 45-day maximum period of detention.

f. Denial of Fair Public Trial

The 1982 Constitution, like the 1961 Constitution, spells out every person's right to a speedy trial. Several other protections for the individual in the judicial process are stipulated. Over most of the past year, trials have been conducted under the regulations based on the old Constitution and martial law provisions. Trials in civil and military courts generally are conducted under the same procedural rules. Trials are open, and defendants are allowed to have lawyers of their own choice. Convictions in either system may be appealed, to civil appeals courts and military appeals courts, respectively. Some appeals, as in capital cases, are automatic and go through several instances, including the high court of military appeals and the civilian supreme court of appeals, through the Consultative Assembly and finally the National Security Council. Some martial law cases have been reversed on appeal. Under the 1982 Constitution, the President will not receive appeals, but the Parliament will review all death sentences. The implementation of an amendment to the 1971 martial law act, providing that only martial law court sentences of three years or more may be appealed, had drawn protest. The minimum length of sentence subject to appeal has now been reduced to six months. Under martial law, all persons accused of terrorism are tried in military courts. Martial law court judges normally have law degrees and observe the same professional standards as their civilian colleagues. They may not be transferred at the discretion of military commanders. Under both the old and new Constitutions, the court system is independent. The high board of judges and public prosecutors appointed by the President selects judges and prosecutors for the higher courts and oversees those of the lower court system. Reports that the military court of appeals has overturned convictions on grounds of improper process in at least two cases due to improperly obtained confessions supports the impression that the court system follows due process. Judges have also disqualified themselves in some cases.

Turkish military prosecutors have sought the death penalty in hundreds of cases. However, according to a recent Government report, out of 26,000 sentencings since the imposition of martial law in 1978, there have been only 143 death sentences. Of these, 21 executions, all involving convictions for murder, reportedly have been carried out.

g. Invasion of the Home

Immunity of domicile, guaranteed under the old Constitution, has been retained under Article 21 of the new Constitution. Searches require a court judgement or, in emergency situations, action by proper authorities. Martial law regulations authorize the search of private homes without a warrant in the interest of national security. There have been no reports of widespread abuse of this authority or allegations of widespread electronic surveillance.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Article 26 of the new Constitution guarantees the right to express and disseminate thought in any medium, but continued a long-standing restriction by excluding "banned languages" (Kurdish) from protections afforded these rights. The new Constitution also provides that "the press is free and any form of censorship is prohibited."

Martial law has significantly limited the exercise of freedom of speech and the press. September 1980 amendments to the Martial Law Act of 1971 authorize martial law commanders to exercise control over all publications and communications carried out orally, in writing, in pictures, recordings, letters, telegrams, and all other postal material. A September 1981 amendment requires martial law authorities' permission for new publications. Commentary on security operations against terrorists, political or labor leaders on trial or under investigation, and, with Martial Law Decree Number 52, Turkey's past and future politics, was forbidden. This stricture was modified by Decree Number 70 in mid-1982 to permit comment on the draft Constitution. After the publication of the draft in July, both the press and public speakers exercised considerable freedom in criticising the draft and the Consultative Assembly debates on it. In October, however, the National Security Council decreed that neither the Provisional Articles nor pronouncements on the Constitution by the Head of State were to be criticized.

Prior censorship of the media has not been imposed; rather, the press has exercised a system of self-censorship including guidelines from and consultations with the authorities. The state-owned Turkish radio and television broadcasting system, under the control of a military officer, has a nominally independent editorial policy. Some observers suggest it has avoided censorship through careful handling of the news.

In general, publications of the extreme right and left have been most affected by martial law. National publications have been allowed considerable freedom in some areas of news coverage, although they, too, have suffered temporary suspensions of publication and occasional arrests and trials of writers or editors. Publications may be suspended by local martial law commanders, subject to subsequent approval by a judge. In March 1982, for example, "Arayis," a magazine founded by former Prime Minister Bulent Ecevit, was closed. In August 1982, the newspaper "Gunes," which had just begun publication in March, was suspended for one week.

In 1982 the daily "Tercuman's" columnist Nazli Ilicak served a three-month sentence for violation of Martial Law Decree 52. Ecevit served three brief sentences during 1982 for publishing critical articles in Western European media. Earlier this year the journal "Aydinlik's" publisher, Leyla Yurdakul, was sentenced to two years for "insulting the armed forces." A reporter for the daily "Milli Gazete" was given a jail sentence on charges of "advocating a religious regime." A number of small, mostly weekly newspapers published by sympathizers of extremist groups have been closed. These include the leftist newspaper "Politika" which was accused of publishing communist propaganda.

A number of books have been removed from bookstores, probably for the political or religious ideology they contained or espoused. Cases of prohibition of entry of foreign published matter have been reported.

Turkish institutions of higher education are operated by the State. They had become highly politicized in the period before 1980 and were the scene of numerous terrorist acts. Since 1980 the authorities have imposed closer, more centralized control over these institutions under the new Council on Higher Education. The new Constitution forbids the involvement of faculty in political parties. The power to fire and transfer teachers has been enhanced and used in a number of cases. However, tenure at and above the level of associate professor exists now as well as before 1980. There are no reports of widespread violations of academic freedom under these powers, although it was reported in November 1982 that nearly 200 university teachers and research personnel have not had their contracts renewed for various reasons.

There have been no allegations of widespread electronic surveillance. Nor have there been any reports of mail censorship, operations of informer networks, or other widespread surreptitious means of political intimidation.

b. Freedom of Peaceful Assembly and Association

Under martial law, permission must be obtained for marches and rallies. Meetings of associations, which were at first banned, are permitted on approval by local martial law authorities for those associations, including service clubs and professional associations, "which work within their statutes and...are for the good of the community." Political parties have been abolished, although new ones are to be formed after the adoption of the Political Parties Law early in 1983.

Martial law authorities have the power to prohibit strikes, to impose a permit requirement for unions to strike, and also to prevent worker boycotts, slowdowns, or employer lockouts.

The new Constitution, in Articles 51-54, guarantees the right of workers to form unions and the right of employers to form associations, the right of the unions to engage in collective bargaining with the employers, and the right to strike. Article 68 guarantees the right to establish political parties. Article 33 guarantees the right of association. Article 34 grants the right of assembly and to engage in peaceful demonstration marches without prior authorization. Labor unions are not permitted to engage in political activities, receive support from abroad, nor financially support political parties.

The major centrist labor confederation, Turk-Is, has continued in operation under martial law. Some of the features of the draft Constitution which Turk-Is argued hampered trade union activity were deleted or changed by the National Security Council prior to the referendum. Such deleted features included the legalization of lock-out, a ban on payroll deduction of union dues, and certain limitations on the right to strike.

The far rightist labor confederation, MISK (Confederation of Unions of Nationalist Workers), and the far leftist labor confederation, DISK (The Confederation of Revolutionary Trade Unions), have been closed down since the military takeover, their assets taken under supervision, and their leaders arrested. While most of the MISK leaders have since been released, the DISK President and fifty-one other leaders of DISK were put on trial in December 1981 for seeking to overthrow the social and constitutional order by force. The prosecution is seeking the death penalty. Former Istanbul Mayor Ahmet Isvan was subsequently added to the docket. In September 1982, nineteen more defendants were added from a DISK advisory body known as the "DISK Research Institute"; lesser sentences will be sought for some of these latter defendants.

Another trial which has drawn international attention is that of the 44 administrators of the leftist "Peace Association", who have also been accused of working for the overthrow of the state and society and of supporting terrorism, on the basis of links with the communist-front World Peace Council. To date 39 Peace Association members have been apprehended and brought to trial. The prosecution asked the death penalty for all the defendants. Some of the defendents were released in January 1983.

As of January 1983, all Peace Association defendants, eight DISK defendants, and defendants in other trials, including that of the Turkish Labor Party, have been released from custody while their trials continue.

c. Freedom of Religion

Turkey has been a secular state since Ataturk led the struggle for Turkey's independence following the collapse of the Ottoman Empire during World War I. One of the purposes of the 1980 military intervention in politics was to preserve Turkey's secular character. The new Constitution states that "every individual has freedom of conscience, religious faith, and opinion." The Constitution, however, makes religious instruction, under the supervision of the state, compulsory except for non-Muslims. While Turkey is predominantly a Muslim country, there are Greek Orthodox, Armenian Orthodox, Jewish, and Catholic minorities. There are also Islamic minority religious groups. Alevis, or Shi'ites, are said to comprise a large fraction of the population. For the Greeks and Armenians, further guarantees of religious and other minority rights are contained in the Lausanne Treaty of 1923.

There have been complaints among minority religous groups concerning taxation, slow administrative procedures, and petty harassment by local officials in matters relating to schools. The religious minorities, however, have reportedly obtained relief from the five percent Muslim foundations tax. Armenian terrorist activities may have heightened anxiety among the Armenian community. Enhanced security measures to protect the Armenians were reported to have been taken following the recent Armenian terrorist incidents.

Available evidence does not appear to support allegations of official persecution of non-Turkish religious minorities. There have been complaints, but relations between the higher authorities and the minority communities are generally good, and appear to have improved since the military takeover because of the better security situation.

Among Muslim groups, the minority that seeks the overthrow of the secular state was hit hard by martial law. Its political arm, the National Salvation Party, was dissolved. In 1982, there have been reports of arrests among right-wing Muslim groups who reportedly oppose the new Constitution on grounds it may lead to the formation of an "Atheist" state. According to reports, other conservative groups have had their books confiscated, but the balance of evidence is that the state has sought to conciliate rather than persecute them. Dervish orders were briefly prohibited in the twenties, but were soon allowed to meet privately. In the seventies they were again allowed to give public performances.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Turkey continues to accept refugees from Iran and Afghanistan, both for transit to resettlement elsewhere and for permanent settlement in Turkey. More than 4,000 Afghan farmers and herdsmen were brought by the Government of Turkey from refugee camps in Pakistan in August 1982. Turkey has assumed responsibility for providing basic literacy education, vocational training, shelter, and economic assistance to help them reestablish their lives outside their former homeland.

There is freedom of movement within Turkey, subject only to martial law restrictions. Present law provides for denial of passports to persons who have been accused of crimes against the "moral personality" or secular foundations of the state and whose departure would be detrimental to state security. Article 23 of the new Constitution guarantees freedom of travel and residence, subject to the purposes of investigation, prosecution, or prevention of crime and orderly social, economic, and urban development. Similarly, the right not to be deported, not to be denied entry to the country, nor to be extradited, is guaranteed to citizens who shall also enjoy the right to travel abroad.

Article 62 of the new Constitution guarantees the rights of persons living abroad and their families to return home.

Based on amendments to the 1964 citizenship law, several persons abroad who are wanted in Turkey to face legal charges have been deprived of their citizenship for failure to return to the country within a prescribed period. Article 66 of the new Constitution guarantees that no Turk may be deprived of citizenship except for actions incompatible with loyalty to the state and to the nation, and that all such deprivations shall be subject to legal recourse.

Because of foreign exchange shortages, foreign travel for tourism has been limited to one trip abroad every year.

e. Freedom to Participate in the Political Process

Turkey is in transition from military rule to parliamentary democracy. The Government is directed by the Chiefs of the Armed Forces, the Army, Navy, Air Force, and Gendarmerie who constitute the National Security Council (NSC) under the chairmanship of the Chief of the Turkish General Staff, General Kenan Evren. General Evren became President of the Republic with the vote for the Constitution in the November 7 referendum. The NSC is scheduled to continue in existence until the first elections, at which time it will become a "Presidential Council." The civilian bureaucracy is headed by a Prime Minister, retired Admiral Bulend Ulusu, and a civilian Council of Ministers.

The Government began the process of return to democracy with the referendum on a new Constitution in November 1982. Prior to this, an appointed Consultative Assembly, which had the duty of drawing up the draft Constitution, was convoked in late 1981. It shares the legislative function with the NSC. The NSC promulgated the "law of the constituent assembly" in June 1981. That law provided for a constituent assembly consisting of a 160-member "Consultative Assembly" and the five-member NSC acting as the higher chamber. The NSC selected 120 members of the CA from lists of candidates put forward by the provincial governors and directly appointed the remaining 40 members. Membership in the Assembly required that a candidate not have been a member of a political party at the time of the military takeover. In September 1982, the Government held a nationwide voter registration for the constitutional referendum. The referendum was held on November 7, and the new Constitution was approved by approximately 92 percent of the voters. All citizens over 21 years of age were required to register and to vote in the referendum under penalty of losing the right to vote or to run for election for a period of five years. Over 90 percent of eligible voters participated in the referendum. Contrary to some Western news reports, persons failing to vote were not subject to imprisonment.

The 1961 Constitution created a strong Parliament and a weak President. Under this Constitution deadlock in Parliament was experienced. Proportional representation had the effect of making it impossible for either of the two major parties to put together a majority without small extremist parties, particularly of the right.

The new Constitution greatly strengthens the Executive and strengthens the larger parties by altering the previous system of proportional representation in the Parliament. Laws governing elections and the formation of parties are to be drawn up prior to national parliamentary elections.

Temporary Articles of the Constitution, however, stringently limit political participation by politicians influential in the former parties. They will ban participation in party politics for most former party leaders for a period of ten years. According to one estimate, this ban covers 116 persons. Similarly, persons who were members of Parliament on January 1, 1980, will not be able to form new parties or to hold party office for a period of five years, but may run for Parliament. Article 68 of the new Constitution forbids political parties to establish auxiliary bodies such as youth or women's organizations. It also prohibits political party membership by civil servants, students, members of the armed forces, and judges.

Until the NSC's schedule for the return to democracy is completed, major restrictions on political participation remain in force. Under NSC Decree Number 52 of June 1981, "all political activities at every level," including debates on martial law command decisions, meetings, demonstrations, and the writing of articles by persons who were members of Parliament at the time of the takeover are forbidden. The abolition of political parties continues in effect until the passage of the new laws on political parties, expected in early 1983.

Former Prime Minister Bulent Ecevit has twice been sentenced to jail, and once acquitted, on charges of violating martial law regulations by giving interviews or publishing articles abroad on forbidden political topics. Former Prime Minister Suleyman Demirel has been investigated, and exonerated, of election law irregularities. Trials of other former politicians continue, including, prominently, Alparslan Turkes, leader of the extreme rightist Nationalist Action Party and 673 of his colleagues in the party and its affiliates, on charges of trying to undermine the state through acts of violence and assassination, and Necmettin Erbakan, head of the religious National Salvation Party, and 33 of his followers, for trying to change the secular nature of the Turkish state. According to a recent press report, 203 former members of Parliament have been subject to investigation or prosecution. Of these, 12, including three former Ministers, are imprisoned. Another 160 are at liberty pending completion of investigation or prosecution of their cases.

Equal rights for women, including political rights, was a fundamental element in the transformation of Turkish life enacted by Ataturk. Women in Turkish society, although subject to a certain amount of social and economic discrimination, have the same political rights as men. Prior to the takeover, women held ministerial positions and seats in the Parliament. No woman is a member of Turkey's present Cabinet. However, five women are members of the Consultative Assembly, and a woman holds the position of Director of the legal section of the Assembly's executive office.

Members of the non-Muslim minorities face no legal restrictions on political participation; there are some Armenians who occupy high judicial posts. The large Kurdish minority can participate freely as long as they accept a Turkish national identity; Kurdish-language publication and autonomist movements are forbidden.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Government of Turkey permits governmental and non-governmental foreign organizations and representatives concerned with human rights to make visits to Turkey. Several such visits have taken place. During the past year, these have included the Council of Europe, the International Labor Organization, the Western European Union, the North Atlantic Assembly, and a staff delegation of the United States Joint Commission on Security and Cooperation in Europe.

The Council of Europe sent observers to the Turkish constitutional referendum on November 7, although General Evren had stated in February 1982, following a Council resolution critical of Turkey, that no further Council delegations would be officially received. It should be noted that a decree also issued at that time stipulated that all invitations from Turkish organizations to official or unofficial foreign representatives or delegations were subject to permission by martial law authorities, and that contacts between such foreign representatives or delegations could be conducted only by obtaining permission of the martial law authorities. In a speech shortly before the referendum, Prime Minister Bulend Ulusu stated that, while no international organizations or foreign press representatives had been invited to observe the referendum, they were free to come, and that all necessary arrangements would be made to facilitate their visit.

Foreign observers who came to Turkey to observe the referendum, including Council of Europe representatives, United Kingdom parliamentarians, and foreign correspondents reportedly were given full cooperation by government officials. Reports issued by such observers stated that the referendum was fair and honest.

Representatives of foreign organizations and delegations have apparently encountered little difficulty in making contact in Turkey with officials and other persons whom they have wished to meet. An exception is persons in prison. Turkish regulations permit such meetings only for the prisoners' family members and attorneys.

The Council of Europe and the International Confederation of Free Trade Unions adopted resolutions critical of Turkey's human rights performance during 1982. In July, France, the Netherlands, Denmark, Norway, and Sweden brought a human rights complaint against Turkey before the Council of Europe's European Human Rights Commission. The examination of that complaint, which normally would have begun within three months, has been postponed until January 1983, at Turkey's request.

Amnesty International has a section in Turkey which, like other associations was closed at the time of the military takeover. The chapter has apparently not requested permission to reopen and has remained inactive. In September, Amnesty International reported that it had received no response from the Turkish Government to its request to send a team to a military hospital to investigate reports that almost 100 Kurdish prisoners were in poor health. Other groups in Turkey speak out on human rights concerns, including, for example, the Adana Bar Association which called in January 1982 for the retention in the new Constitution of basic human rights guaranteed in the old Constitution, including the ban on torture.

4. Economic, Social, and Cultural Situation

Turkey in the late 1970's experienced severe economic problems. Essential imports, especially oil, could not be sustained as the country's balance of payments went deeply into the red. Inflation soared to over 100 percent, and real growth and income declined. In January 1980, Turkey's last civilian Government launched an economic program in conjunction with the IMF, World Bank, and the OECD aimed at a fundamental restructuring of Turkey's economy. That program, endorsed and reinforced by the current Government, has succeeded in lowering inflation from 120 percent to around 35 percent, in greatly expanding exports and in laying the foundation for sustained economic growth.

GNP is again increasing, at about 4 percent this year. GNP per capita is $1,456 in 1980 dollars. However, serious problems remain. Domestic demand is flat. Unemployment, abetted by a high population growth rate, remains very high, and wages and salaries have not kept pace with inflation. Nonetheless, Turkish citizens are able to meet basic needs of nutrition, health, and education. Turkey enjoys self-sufficiency in food production, and generally produces a surplus for export. According to 1977 data, the ratio of available caloric supply relative to nutritional requirements is 131 percent. The percentage of the population with access to safe water is 75.

Rapid and unplanned urban growth is a special problem for Turkey, whose population of 46,000,000 is increasing by an annual rate of 2.2 percent. The Government aims to achieve a better rural-urban balance by decentralizing industry and providing better social facilities in remote areas to stem the flood of young people to the big cities. At the same time, the Government continues to extend city services to those who migrate to the cities and settle in shanty-towns on the outskirts of the cities.

In the area of health, a 1981 law requires physicians to serve two years in the developing parts of the country where there is a shortage of doctors. According to a 1981 estimate, there is a national average of one doctor for every 1,646 persons in Turkey. The number of doctors (specialists and practitioners) increased by 100 percent from 1967 to 1977. The number of registered nurses more than tripled during that period. Life expectancy at birth for the average Turk is 61.8 years. The infant mortality rate is 122 per 1000 live births, according to 1980 statistics.

Primary schooling is compulsory. Education through the high school level is free. University tuition is subsidized. There are, however, difficult entrance examinations for universities, since the number of applications greatly exceeds the present capacity of the 18 institutions of higher learning. In the decade of rapid development from 1965 to 1975, the rate of literacy increased from 48 percent to 60.3 percent and stands at 70 percent, according to government estimates. The Government's new literacy campaign had an enrollment in 1981 of 1.2 million persons. The primary school enrollment ratio, defined as "students enrolled in primary education as a percentage of the population in the appropriate age group," probably greatly exceeds the figure of 105 percent given in 1978 statistics and means that older persons as well may be pursuing primary education. Even so, according to one estimate, about 50 percent of adult Turkish women and about 20 percent of adult Turkish men are classified as illiterate.

There is no known discrimination which prevents Turks of any particular background from gaining the fruits of their labors. Men and women have equal legal rights. Since the adoption of the Turkish civil code in 1926, Turks may have only one spouse at a time. Divorce is permitted, and women act as plaintiffs as often as men.

Both men and women have access to the universities. Many women have become heads of departments and deans, and, in at least one case, rector of a university. They have entered the medical, legal, journalistic, engineering, banking, and other professions. Some have risen to high responsible positions and national prominence. The Turkish Government has integrated women into the police force and has just appointed its first woman ambassador abroad. Nevertheless, women are subject to social and cultural restraints which keep them from full equality. Such restraints are more pronounced in rural areas.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: TURKEY

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	198.1	201.0	301.1
LOANS..............	123.0	66.0	100.0
GRANTS.............	75.1	135.0	201.1
A.AID	198.0	200.0	300.0
LOANS..............	123.0	66.0	100.0
GRANTS.............	75.0	134.0	200.0
(SEC.SUPP.ASSIST.)...	198.0	200.0	300.0
B.FOOD FOR PEACE.......	0.1	0.0	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.1	0.0	0.1
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.1	0.0	0.1
E.RELIEF.EC.DEV & WFP.	0.1	0.0	0.1
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	1.0	1.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	1.0	1.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	1.0	1.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	208.3	252.8	403.0
LOANS..............	202.9	250.0	343.0
GRANTS.............	5.4	2.8	60.0
A.MAP GRANTS..........	4.0	1.1	57.0
B.CREDIT SALES-FMS....	202.9	250.0	343.0
C.INTL MIL.ED.TRNG....	1.4	1.7	3.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	406.4	453.8	704.1
LOANS..............	325.9	316.0	443.0
GRANTS.............	80.5	137.8	261.1
OTHER US LOANS..........	0.6	9.0	0.0
EX-IM BANK LOANS.......	0.6	9.0	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	514.1	872.3	712.1	4898.5
IBRD	460.0	722.0	647.8	3762.2
IFC	5.6	13.5	14.8	240.5
IDA	0.0	0.0	0.0	196.2
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	2.5	1.8	0.0	62.9
OTHER-UN	0.0	0.0	0.5	11.7
EEC	46.0	135.0	49.0	625.0

UNION OF SOVIET SOCIALIST REPUBLICS

The Soviet Union is a one-party, centralized state in which the Communist Party attempts to direct and control all political, economic, social, cultural, and other developments. Within the Party, the "nomenklatura," or Soviet personnel management system in which all senior appointments require Central Committee Secretariat approval, allows a smaller group of the Party elite to use the Party as an instrument of its effective rule of the USSR. Although the Soviet Constitution formally provides for all internationally recognized human rights, including civil and political rights, in fact there is little tolerance of actions and practices incompatible with continued Communist Party control. The suppression of constitutionally guaranteed rights is accomplished under the auspices of a number of broadly worded provisions stating that constitutional rights may not be exercised in a manner contrary to the "interests of society" as defined by the Party. Communist party control and suppression of dissent are enforced by the "organs of State Security," which maintain a pervasive presence throughout the country. The organs of State Security are comprised of the KGB (Committee of State Security), which is in charge of covert operations abroad, Border Guards, and the most politically sensitive tasks of repression internally, and the MVD, which controls the ordinary police and the forced labor system. The Soviet Government's presumed objectives remain the continued monopoly of power by the Communist Party, enhanced national security, economic development emphasizing heavy industry, and projection abroad of its power. Respect for human rights is subordinate to these objectives.

The status of human rights in the Soviet Union continues to fall far short of accepted international standards. Although capital punishment is imposed only infrequently, the regime's standard response to dissent is the incarceration of dissidents in prison or labor camps. The mistreatment of prisoners continues in terms of inadequate food, clothing, and shelter, heavy manual labor, unsatisfactory medical care, isolation, extended interrogations, and threats against their families. Many prisoners are also denied their rights to correspondence and to receive family visits. The Soviet Government continues to confine some dissidents to special psychiatric hospitals and to psychiatric wards in general hospitals, where they often are subjected to a variety of cruel and degrading treatments, including doses of powerful and painful drugs. The regime also continues the practices of the internal exile and the forced emigration of certain individuals. Political and religious offenders uniformly are denied fair and public trials.

The Soviet Constitution of 1977 provides for most commonly accepted political liberties, but their exercise must be in accordance with the "interests of the people and the strengthening and development of the socialist system." In practice, the regime does not tolerate "deviant" behavior and has not hesitated to imprison persons for exercising basic human rights. The Party and the Government control all Soviet media, which are subject to censorship. The regime also continues to maintain tight control over the work of foreign journalists and the circulation of foreign newspapers in the country. Soviet authorities use their control of the mail and telephone circuits to foreign countries to restrict, on a selective basis, contact between Soviet citizens and persons in other countries. The Soviets continue to jam most radio broadcasts from abroad that are in Russian and other languages of the peoples of the USSR, maintain a widespread network of informers, and frequently use hidden listening devices to garner information. In practice, public associations in the USSR are subject to the control of the authorities, who suppress any which appear to challenge the interests of the regime. Soviet trade unions are strictly subordinated to the Communist Party and act as agents of the Government in implementing economic policy and ensuring labor discipline, rather than as collective bargaining agents for workers. Freedom of religion is closely circumscribed, and religious believers are subject to many restrictions in the officially "atheist" USSR. Freedom of movement is neither guaranteed by law nor respected in practice.

Domestically, there has been an escalation in 1982 of the campaign of repression of dissent in the Soviet Union which appears to have as its aim the severance of contacts between foreigners and Soviet citizens. The regime has intensified its harassment of foreign journalists, forced the Moscow Helsinki Group to disband, begun threatening leading Jewish "refuseniks" with imprisonment if they continue to maintain contacts with foreign diplomats, journalists and tourists, stepped up its repression of religious dissidents, arrested several persons who circulated strictly apolitical samizdat texts, and curtailed telephone ties to selected foreign countries. At the same time, there have been reports of the use of forced labor in at least the preliminary phases of the construction of the Yamal gas pipeline from Siberia to Western Europe and of the massive importation of Vietnamese laborers for work on a variety of infrastructure projects.

Abroad, the Soviet Union continues its occupation of Afghanistan and its support of the Vietnamese occupation of Kampuchea and of the martial-law regime in Poland. There is mounting evidence that the Soviet Union is responsible for the use of chemical warfare in Afghanistan, Laos, and Kampuchea. The USSR also continues to support a number of "client" states such as Cuba and Ethiopia which engage in massive violations of the human rights of their citizens.

1. Respect for the Integrity of the Person, Including Freedom from:

   a. Killing

Several deaths of religious or political activists (or their relatives) have occurred under suspicious circumstances, raising the possibility of official involvment. There is, however, no firm evidence that Soviet authorities are responsible for these and other deaths, and the probability of obtaining such evidence is low. A sizable number of political prisoners and common criminals probably perish each year in prison and in forced-labor camps owing to strenuous physical labor, a semi-starvation diet, and inadequate clothing for extremely cold weather. These deaths, the number of which it is impossible to estimate, must be seen as the direct result of political or economic decisions taken consciously by the most senior Soviet officials.

Soviet law provides for the imposition of capital punishment for a variety of offenses, including some economic crimes such as fraud, not generally considered capital crimes outside the USSR. The Soviet media only infrequently note the application of capital punishment, and then usually only with respect to cases involving large-scale economic crime as part of periodic anti-corruption campaigns. The regime undoubtedly hopes that the "demonstration effect" of the use of capital punishment in these cases will deter others from similar crimes. The available evidence, which cannot necessarily be considered comprehensive, suggests that capital punishment is used sparingly. However, statistics on capital punishment, as well as statistics on crime in general, are not published by the Soviet Government.

b. Disappearance

There are few known instances of the prolonged or permanent involuntary disappearance of persons in the Soviet Union. Secret arrests (in the sense that news of them may not reach relatives and friends for some time) do occur, but, in most cases, the "secrecy" involved seems to be more the result of circumstance than of official policy. In arrest cases, Soviet authorities eventually allow arrestees to notify family and friends of their arrests or confirm it upon being questioned by interested parties.

c. Torture

Reports from a variety of sources indicate that mistreatment of prisoners during interrogation continues to occur. But systematic torture and physical abuse of prisoners as a means of obtaining confessions have not been prevalent. Prisoners have more frequently been subjected to such psychological pressure as isolation, extended interrogation, and threats against their families. The security organs of the Soviet Government are responsible for these abuses.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

There are four categories of such punishment: the treatment of prisoners in Soviet labor camps, the use of psychiatric treatment against political and religious dissenters, forced internal exile, and forced emigration.

Prison camps: Although article 20 of the Russian Republic criminal code states that "punishment does not have the goal of causing physical suffering or the destruction of human dignity," a number of reliable sources have described the stark, primitive conditions in Soviet labor camps. These conditions include: isolation; inadequate protection against extremely cold weather; a poor diet causing hunger and, eventually, medical problems associated with malnutrition; compulsory hard labor in difficult conditions; inadequate medical care; and frequent, arbitrary deprivation of the prisoners' limited rights to receive correspondence and family visits. For example, political prisoners Yuriy Orlov and Anatoliy Shcharanskiy are in this precise position. On September 27, Mr. Shcharanskiy began an indefinite hunger strike to protest the refusal of Soviet authorities to allow him contact with the outside world. Despite worldwide protests and appeals to the Soviets, the position of the authorities has not changed as of this writing. Similarly, imprisoned Helsinki monitor Tatyana Osipova went on a hunger strike in August to protest the Soviet refusal to allow her to see her husband, who was incarcerated in a nearby camp. The Soviet response was to break Mrs. Osipova's strike and to move her husband to a more remote camp. Prisoners are also denied the right to practice their religion and may be punished for attempts to do so. Political prisoners are sometimes sentenced to "ordinary-regime" labor camps for common criminals, where the danger of theft of food and clothing and physical abuse is great. The number of persons in Soviet prisons and labor camps is estimated at two million, of whom at least 10,000 are political prisoners.

Psychiatric treatment: The Soviet Government continues to confine political and religious activists to special psychiatric hospitals and to psychiatric wards in general hospitals, where they are often subjected to a variety of cruel and degrading treatments, including doses of powerful and painful drugs such as as sulphazin and insulin. Some sources estimate that up to 1,000 persons may be confined in psychiatric hospitals for political reasons. In 1977, the World Psychiatric Association adopted a resolution condemning the political abuse of psychiatry and named the Soviet Union as an offender in this regard. In May 1981 the Soviet Ministry of Health's chief neuro-psychiatrist publicly stated at the seventh All-Union Congress of Neuropathologists and Psychiatrists that 1.2 percent of patients in Moscow psychiatric hospitals had been hospitalized "in connection with visits to state agencies to present groundless complaints and slanderous statements." One recent example of this abuse of psychiatric treatment was the confinement of Sergei Batovrin, one of the founders of the "Group to Establish Trust between the USSR and the USA," in a Moscow psychiatric hospital for several weeks. Batovrin, who reportedly was released on September 7, claims that he was administered "mind-control" drugs. Among the prominent dissidents who remain in special psychiatric hospitals for purely political reasons are Vera Lipinskaya, Anatoliy Lupynos, Aleksey Nikitin, and Algirdas Statkevicius.

Internal exile: The practice of exiling political dissenters to remote areas, which dates back to Tsarist times, continues under Soviet rule. Exile often follows imprisonment and in practice means confinement in a remote locality in conditions of isolation, extreme cold, and a scarcity of amenities and basic necessities. These harsh conditions are mitigated only by the privilege of receiving food parcels and the freedom to move about within a limited area, to find work (although frequently far below one's capacity), and to arrange one's own accommodations, which often are primitive even by Soviet standards. The families of exiles sometimes are permitted to live with them.

The most notable example of this practice continues to be the forced exile of academician Andrei Sakharov to the closed city of Gor'kiy. Soviet authorities continue to deny him normal contact with scientific colleagues and to subject him to such arbitrary treatment as surveillance, searches of his apartment, interference with his receipt of mail and telephone communications, and outright theft of his writings and other materials.

Persons released from exile often are not permitted to return to their former residences to live. For example, Ida Nudel was denied a permit to reside in Moscow after her return from exile in March despite the fact that, as the owner of a cooperative apartment there, she has the legal right to reside in the city. After being denied a similar permit in Riga, Latvia, Nudel finally applied for and received permission to reside in the city of Bendery in the Moldavian Republic, far from her family and friends.

Forced emigration: In recent years, the Soviet Government has forced a number of Soviet citizens to emigrate from the USSR. Such forced emigration often occurs as a choice between probable trial and imprisonment and emigration. This past summer, for example, five members of the "Group to Establish

Trust between the USSR and the USA" were given permission to emigrate under the implied threat of criminal prosecution if they refused to do so. Faced with this choice, they emigrated.

e. Arbitrary Arrest and Imprisonment

Soviet spokesmen insist that prosecution occurs only in cases in which persons commit acts prohibited by law. But the provisions of laws under which prosecutions have occurred are sufficiently broad that they can be and are used to prosecute individuals for the exercise of internationally recognized human rights. Among these provisions are:

-- Article 190-1, "The dissemination of deliberately hostile fabrications slandering the Soviet state and social system." This article, introduced in 1965 after the trial of Soviet writers Sinyavskiy and Daniel, carries a maximum penalty of three years' imprisonment;

-- Article 190-3, "The organization of, or active participation in, a group actively violating public order," which carries a maximum penalty of three years' imprisonment.

-- Article 70, "Anti-Soviet agitation and propaganda" which carries a maximum penalty of seven years' imprisonment and up to an additional five years' internal exile.

-- Article 227, "The infringement of the person and the rights of citizens under the appearance of performing religious ceremonies," which carries a maximum penalty of five years' imprisonment.

In addition to these provisions, Soviet authorities have used criminal code provisions against "parasitism," "hooliganism," "speculation," and even "treason" to harass persons for political activity.

According to the Soviet Code of Criminal Procedure, pre-trial detention can last as long as nine months, and prisoners are not entitled to consult with a lawyer until after the conclusion of the pre-trial investigation. In 1982, there were no reported instances of pre-trial detention exceeding nine months, but in recent years such detention on occasion has exceeded one year. These instances of detention function, in effect, as a form of preventive detention although those detained eventually are released or brought to trial. Habeas corpus or its equivalent does not exist.

It is difficult to estimate the number of political prisoners in the USSR, although 10,000 is generally considered the minimum. Large areas of the country are either de jure or de facto closed to foreigners, and reports of trials in these and other remote regions may not become known to foreign observers. An unknown number of political prisoners have been convicted of "ordinary" crimes and therefore incarcerated in camps for common criminals rather than in the special camps reserved for political prisoners. The Moscow Helsinki Group, which voluntarily ceased its work on September 8 following the indictment of member Sofia Kalistratova, has reported the names of more than 700 political prisoners, but believes that there are many more.

f. Denial of Fair Public Trial

Communist Party control of Soviet society extends to the legal and judicial system and may be exercised to negate constitutional guarantees of the objectivity and independence of the judicial process in political cases. All lawyers in the USSR are state employees, and approximately 60 percent of them are Party members; other judicial personnel are subject to the same Party and governmental constraints as lawyers. Defendants in "political" cases can choose a lawyer only from among those given a special government clearance for "secret" matters. Acquittal in a political trial has been almost unknown since the Bolshevik Revolution in 1917. It is widely believed that the decisions in important political cases are made by high Party officials before the trial actually takes place.

The Soviet Government often has taken actions which tend to undermine even the appearance of a fair judicial process. Soviet authorities have employed a number of techniques to ensure that most political trials in practice have been closed to the public, including close relatives of the defendant. The location and date of a trial often are announced on short notice and may be changed with little warning. Special passes often are required for entrance to the trial, and the courtrooms frequently are packed with government supporters. Observers outside the courtroom sometimes are harassed or detained by the police. Defendants have been subjected to adverse pre-trial publicity in the government-controlled press.

No trials of civilians by military courts have been reported in recent years. Some reports indicate the existence of a special system of courts established to handle judicial matters concerning the extensive network of secret institutes in the country, but no information is available on the procedures under which these courts function.

g. Invasion of the Home

The Soviet Constitution guarantees the inviolability of the homes of citizens of the USSR, and, in theory, no one may enter a home against the will of the resident "without legal grounds." In practice, this provision has little restraining effect on Soviet investigatory agencies, and forced entry and illegal searches have occurred. Soviet authorities "bug" at will the residences and telephones of Soviet citizens and foreigners visiting, or resident in, the Soviet Union. The regime also occasionally demolishes the residences of Soviet citizens. For example, a "dacha" or country house near the town of Vladimir constructed by Soviet dissident Anatoliy Marchenko and his wife Larisa Bogoraz recently was demolished, evidently to prevent them from residing in that area.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Soviet Constitution of 1977 provides for most commonly accepted political liberties, including "freedom of speech, press, assembly, meetings, street processions, and demonstrations." But the exercise of these rights must be in accordance with the "interests of the people and the strengthening and development of the socialist system." The Constitution also states that enjoyment by citizens of their rights and freedoms must not be to the detriment of "the interests of society or the state." In practice, the regime does not tolerate dissident behavior and has not hesitated to imprison persons for exercising basic human rights. In the last two years, many Soviet citizens have forced their way into, or surreptitiously entered, the U.S. Embassy and other foreign missions to seek redress of grievances against the Soviet Government for the violation of their perceived legal rights. For example, on October 6, two women were prevented by the militia from entering the U.S. Embassy and were dragged off by the authorities. Seven days later eight ethnic Germans were barred from the Embassy of the Federal Republic of Germany in Moscow.

All Soviet media are owned and operated by the Party and the Government or organizations controlled by them. Publications, films, and radio and television scripts are subject to censorship by the Main Administration for Safeguarding State Secrets in the Press. Soviet journalists are subject to the discipline of the Communist Party and subordinate to the directives of their editorial superiors, themselves trusted members of the Party. Therefore, Soviet journalists are executors of the official policies of the Soviet Government.

All Soviet universities and research institutes are operated by the State or Party; teaching and research are expected to conform to official expectations. In areas such as foreign policy and contemporary Soviet history these expectations define very tightly the content of research and teaching, to the virtual exclusion of independent investigation. In areas that are less sensitive politically, independent scholarly conclusions may be published within certain broad limits. All books in the Soviet Union are published by the State or Party, and are subject to pre-publication censorship. There is substantially greater freedom of expression in fiction and in scholarly books (except on politically sensitive subjects) than there is in the media.

Openly dissident views on important questions of policy do not appear in the Soviet media, and no criticism of the Party, the Government, and the leadership is permitted, except to correct an administrative abuse such as inefficient domestic policy implementation, or to discredit an individual responsible for violating Party norms. Arguments for and against prospective policies do appear before final decisions are taken on them, but, once such a decision is taken, dissenting views rarely appear in public. Open criticism of officials takes place only when decided upon by higher officials. Criticism of higher state officials is much more common than criticism of higher Party officials. Debate within the leadership is occasionally reflected in published texts where polemics and criticism, expressed in veiled language, allow experienced readers (both Soviets and non-Soviets) to identify policy trends and controversial issues. Such policy debate does not call into question the existing political and social system. A limited and intermittent opportunity for free expression, even to the point of attacks on the Government and the system, exists through "samizdat" or the circulation of writings in manuscript. Conditions confine this opportunity to a limited social stratum, and users run the risk of arrest. The authors of literary, religious, and political underground materials have been subject to such penalties as loss of employment, internal exile, confinement in labor camps and prisons, and incarceration in mental hospitals.

The Soviet Government continues to maintain tight control over the work of foreign journalists and the circulation of foreign newspapers in the USSR. Overt censorship of wire transmissions of news stories out of the country is infrequent, but the authorities harass selected foreign journalists, and in some cases either deny them visas or curtail already issued visas. For instance, Newsweek correspondent Andrew Nagorski suffered de facto expulsion in August, and his temporary replacement, Joyce Barnathan, had to endure a long delay in receiving her visa. The Soviets have taken some steps to improve the working conditions of foreign journalists, such as the issuance of multiple entry-exit visas, in connection with Soviet implementation of the Helsinki Final Act.

The Soviet authorities use their control of the mail and the telephone circuits to restrict, on a selective basis, contact between Soviet citizens and those of other countries. The regime often intercepts mail. Last summer it eliminated direct dialing, so that operators could screen calls, and cut back the number of functioning telephone circuits to certain foreign countries. During September, the Soviets also enacted new and tougher restrictions on the ability of private citizens to mail books abroad, and in October reportedly clamped down on communications links between Estonia and Finland. The Soviet Government continues the jamming of Western radio broadcasts directed at the Soviet Union, in clear violation of the provisions of the Helsinki Final Act.

The KGB also maintains a network of informers in most apartment buildings and workplaces to monitor private activities. The organs of State security frequently use listening devices to obtain information.

b. Freedom of Peaceful Assembly and Association

The Soviet Constitution grants Soviet citizens the right to associate in public organizations "in accordance with the aim of building communism." In practice, public associations in the USSR are subject to the control of the authorities, who suppress any which appear to challenge the interests of the regime. For example, most members of the unofficial "Helsinki Watch" groups who attempted to monitor the performance of the Soviet Government in fulfilling the provisions of the Helsinki Final Act, and of the "Psychiatric Watch" group which attempted to expose Soviet abuse of psychiatry in connection with the confinement of dissidents in mental hospitals, have been tried and sentenced to imprisonment or to internal exile.

When a small group of unofficial peace activists attempted to form a "Group for the Establishment of Trust between the USSR and the USA" in June, in response to the Soviet "peace" campaign, its proposals for joint Soviet-US activities and dialogue echoed official Soviet proposals on many points. The group's independent nature, however, apparently made it *ipso facto* unacceptable to the government. Quick intervention by the KGB repressed the group, and many of its activists were put in prison or psychiatric wards. Soviet authorities even repress independent groups with wholly non-political interests, such as the Invalids' Group, which attempted to lobby for improved medical and social services for invalids.

Soviet trade unions are strictly subordinated to and controlled by the Communist Party. They act as agents of the Government in implementing economic policy and ensuring labor discipline, rather than as collective bargaining agents for workers. The right to strike is not recognized in the Soviet Constitution. Strikes are rare and usually occur over such issues as conditions of work. In 1982, in large part owing to developments in Poland, the Soviet media have continued to devote increased attention to the need for Soviet trade unions to play a more active role in satisfying workers' needs. The regime has continued its policy of repressing any attempts to establish independent trade union organizations, and activists in past years have been forcibly expelled from the USSR, imprisoned, or confined in psychiatric hospitals. Soviet trade unions are permitted to maintain ties abroad only with a Communist-front organization, the World Federation of Trade Unions, headquartered in Prague.

c. Freedom of Religion

The Communist Party, defined in the Soviet Constitution as the "leading and guiding force in Soviet society," is, according to its rules, an atheistic organization. Membership in the Party, considered incompatible with religious belief, is in effect a requirement for advancement to most positions of rank. The Soviet Constitution guarantees the "right to profess or not to profess any religion and to conduct religious worship or atheistic propaganda." In practice, however, religious believers are subjected to many restrictions. Participation in religious ceremonies can cause exclusion from the Communist Party and, sometimes, dismissal from employment. Soviet law on religious associations requires religious congregations to register with the authorities, which in practice is extremely difficult to accomplish. The law prohibits religious believers from engaging in charitable activity, conducting evangelical activity, and providing religious training to their children. In some instances, the authorities have removed children from families which have permitted or have conducted such instruction. The number of functioning seminaries and other institutions of clerical education, and the numbers of students permitted to pursue a religious vocation, do not provide a sufficient body of trained clergy for even the officially registered denominations. Unregistered believers, such as some Baptists, Jehovah's Witnesses, Seventh Day Adventists, Pentecostals, and others, are often subject to a wide variety of repressive measures, including harassment at school or place of employment, denial of access to housing, dismissal from work, and imprisonment for violating Soviet law. A number of Muslim religious and quasi-religious traditional practices are heavily discouraged as "survivals of the past." The official Soviet media feature large amounts of anti-religious propaganda, but pro-religious materials are not allowed to appear.

There have been numerous reports of instances of discrimination against Jews, such as denial of access to higher education and the professions, and at least 11 cases of the revocation of higher degrees of Jews have occurred. Such revocation of degrees in practice means the end of one's career, and usually the loss of one's job and income. Occasional attacks on Zionism in the media appear intended to arouse anti-Semitic feelings among the population.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Freedom of movement is neither guaranteed by law nor respected in practice. Although Soviet citizens are generally free to move about within the territory of the USSR, travel in certain areas, such as frontier regions or areas of military significance, requires special permission. All Soviet adults are issued identity documents or internal passports, which must be carried on one's person during travel in the USSR and used to register visits of more than three days with the local authorities. In practice, the vast majority of the country remains closed to foreigners.

The right to choose one's place of residence, although formally guaranteed by law, in practice is subject to restrictions. All persons are required to register at their place of residence.

The authorities limit the issuance of residence permits in some large cities, such as Moscow and Leningrad, where housing is at a premium and which the regime wants to maintain as free of socially undesirable elements as possible, since they are "showcases" of the USSR for foreign tourists. Until 1976 workers on state and collective farms did not receive internal passports and could not travel from their homes without permission. Although these state and collective farm workers are now legally entitled to passports, actual implementation of this provision is uncertain. Members of collective farms are often prevented from withdrawing by local officials, in violation of Soviet law. Former prisoners are prohibited from settling in certain areas such as Moscow, even after they have served their sentences. Certain national minorities such as the Crimean Tatars, Meskhi, and Volga Germans are prevented from returning to the areas from which they were deported during World War II for being security risks or for allegedly collaborating with the Germans.

The USSR has ratified the UN Charter and other international documents, such as the international covenants on civil and political rights and on economic, social, and cultural rights, in which the right to leave one's country and return is guaranteed. However, in practice the regime also denies Soviet citizens this right. Unauthorized departure from the country is a crime under Soviet law. Reunification of divided families is the only officially recognized basis for emigration from the Soviet Union. In 1975, the Soviets announced measures to simplify emigration procedures and reduce emigration fees, which they presented as bringing their practices into conformity with the provisions of the Helsinki Final Act. Laws and regulations concerning travel and emigration are not publicly disseminated, except for those concerning passport fees. Repatriation evidently occurs infrequently, and the regime attempts (to the extent circumstances permit) to use these isolated instances, such as the Walter Polovchak case, in its propaganda about the superiority of the Soviet system. There have been no recent, public cases of large groups seeking refuge in the Soviet Union from persecution in their homelands.

Application for emigration procedures are cumbersome and expensive. The cost of a passport for emigration to a "capitalist" country is approximately $420. Soviet citizens who want to emigrate to Israel, who are the majority of all would-be emigrants, must renounce their Soviet citizenship. This procedure costs approximately $700.

Costs and cumbersome procedures aside, emigration from the Soviet Union is still extraordinarily difficult. It frequently involves a variety of administrative and extra-legal sanctions, including loss of employment, harassment, social ostracism, and long delays. Many Soviet Jews have waited for more than ten years for permission to emigrate.

There was a continued sharp drop in the number of Jews allowed to emigrate in 1982, only 2,688 having been granted exit visas, compared to 9,447 during 1981 and 21,471 and 51,320 in 1980 and 1979, respectively. The emigration level for 1982 has in effect returned to the levels prevailing before 1971, when Soviet authorities first began to permit large scale emigration of Soviet Jews. Jewish sources estimate that there still are more than 300,000 Soviet Jews who possess the letters of invitation from Israel necessary for application to emigrate. The number of both ethnic Germans and Armenians emigrating from the USSR also declined in the first nine months of 1982. Only 1,640 ethnic Germans and 28[illegible] Armenians emigrated during this period, compared to 2,988 and 1,827, respectively, during the same months of 1981.

Currently, approximately 96 Soviet families, numbering some 295 individuals, are on a United States Government representation list of persons who actively seek to join close relatives in the United States and who have been refused exit permission at least once by the Soviet Government. At least 15 US citizens living in the Soviet Union have been denied permission to leave by the Soviet Government, several for many decades. In addition, there are at least 18 outstanding cases in which the Soviet Government has denied the Soviet spouse of an American citizen permission to emigrate. Many Soviet Christians, such as the Vashchenko and Chmykhalov families still resident in the US Embassy in Moscow, have unsuccessfully sought permission to emigrate because of religious persecution.

e. Freedom to Participate in the Political Process

Participation in the Soviet political system is possible only through holding office in either of the parallel State and Party hierarchies. Politically meaningful offices are open only to members of the Communist Party which, according to the Soviet Constitution, is the "leading and guiding force of Soviet society and the nucleus of its political system, of all state organizations and public organizations." No other organized party or political group is tolerated. Factional groups within the Party itself are also prohibited. In both the State and Party hierarchy higher officials are nominally elected by lower officials. In fact, lower officials are chosen by higher officials, and strict discipline prevails except at the very highest level of the State and Party. Of the most authoritative decision-making bodies, only the Politburo (usually comprising 12 to 15 full members) engages in genuine debates and has split votes.

The relationship between Soviet ethnic groups also imposes limits on political participation. Discrimination is prohibited by the Soviet Constitution, and the Soviet Union is nominally a confederation with wide autonomy for the republics of the minority nationalities. In fact, the various nationalities do not enjoy full equality with the dominant Russian ethnic group, as formalized expressions such as "great Russian people" indicate. The non-Russian republics are controlled and dominated to a substantial degree by the center by a variety of institutional mechanisms such as Russian Second Secretaries. In recent years, there continue to be indications of restrictions on the presence of members of some ethnic and religious groups, especially Jews and Muslims, in various organizations, particularly universities, research institutes, the higher Party apparatus, and the officer corps of the Armed Forces.

Women are legally equal to men in the USSR, and they participate in all areas of the country's social, political, and economic life. An extensive system of day-care service and maternity leave benefits, including, in some cases, as much as one year's leave from work significantly enhances the ability of women to secure and to retain employment. However, men occupy the great majority of the leading positions in most professions, especially politics. Since the establishment of the Soviet Union, only one woman has been a member of the Politburo. Overt economic discrimination against women does not exist, but many more women than men hold the less remunerative positions. In the non-European areas of the USSR cultural, social, and religious traditions restricting women to more "traditional" roles are gradually losing their strength as more women, especially in urban areas, receive an education. Women enjoy full equality only in their access to jobs involving hard physical labor.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Soviet Government contends that all internationally recognized human rights are fully protected in the USSR and asserts that only "socialism" can truly guarantee human rights. The Soviet Government rejects foreign criticism of its human rights record as interference in its internal affairs, despite the fact that it is a signatory to numerous international documents recognizing that human rights are a valid subject of international concern. The Soviet media feature sharp criticism of supposed violations of human rights in the West, especially in the United States.

The Soviet Union does not permit foreigners to investigate the status of human rights in the USSR. International human rights organizations such as Amnesty International frequently have addressed communications to the Soviet Government concerning human rights, but it has refused to reply in a substantive manner. It also has attempted to suppress the Moscow chapter of Amnesty International, and in the recent past has published and broadcast attacks on the organization, alleging that it has worked with Western intelligence agencies against the Soviet Government. Its secretary, Soviet writer Georgiy Vladimov, is currently being subjected to harassment and threatened with arrest.

The Soviet Government has cooperated with the United States Government in investigating alleged war crimes during World War II by persons who are now citizens or residents of the United States. The Soviet Government has permitted the US Government to carry out depositions of witnesses in the USSR, and has provided documentation for use in US courts.

When the United Nations Human Rights Commission prepares to consider allegations of human rights violations in the USSR, Soviet representatives generally attempt to bar discussions of the alleged violations on procedural grounds. If such discussion cannot be avoided, the Soviet representatives deny the substance of the allegations.

A number of private groups or associations of individuals have been active in the USSR in recent years in attempting to protect individual liberties. All of the Helsinki Monitoring Groups have been suppressed or are inactive, and the Working Group to Investigate the Use of Psychiatry for Political Purposes also has been completely suppressed. Only two groups, the "Group in Defense of Invalids' Rights" and the "Group to Establish Trust Between the USSR and the USA," appear to remain active, but members of both are being harassed by the security organs. In October, Valeriy Fefyolov and Ol'ga Zaitseva were allowed to emigrate, leaving the Invalids' Rights group with only two known members still at liberty within the USSR. On October 26, Oleg Radzinskiy, a prominent member of the "Group to Establish Trust" was arrested and charged with "anti-Soviet agitation and propaganda." The modus operandi of these groups has generally been the same. They have attempted to publicize regime violations of human rights in specific areas by issuing and publishing abroad underground documents and by maintaining contacts with foreign diplomats, journalists, and tourists.

4. Economic, Social, and Cultural Situation

The Soviet Government emphasizes the provision of economic and social benefits. The population as a whole is adequately fed, clothed, housed, educated, and cared for medically, although the quality of such services varies according to the citizen's status and location and often is criticized by Soviet citizens and the media. Economic freedom of choice is sharply restricted; shortages exist, and there is great disparity in the regional distribution of foodstuffs and consumer goods. Income and wealth do not necessarily determine a Soviet citizen's standard of living. One's rank in the various elites such as the Party, the military, the diplomatic corps, the scientific-technical intelligentsia, and the cultural and sports establishment significantly determine access to major benefits. These include foreign travel, automobiles, quality consumer goods and foodstuffs, special medical facilities, admission into the best educational institutions, country houses, and paid vacations in choice resorts. The allocation of privileges is one of the regime's most effective means of social control. In addition, most Soviet citizens can only obtain many things Westerners would consider everyday necessities by resorting to the "underground economy," which according to many Soviet emigrés is becoming an increasingly large and corrupting force in Soviet life.

Free, universal health care is guaranteed by the Soviet Constitution. In addition, provision is made for the continuation of income during illness. Medical standards and facilities are still markedly inferior to those of other European countries. Data for 1977 show there were 34.5 physicians and 120.8 hospital beds per 10,000 persons. However, there is considerable disparity in the regional distribution of medical facilities, and shortages of medicines and vaccines persist. Medical equipment generally is not as good as that elsewhere in Europe. Basic medical care facilities are available to most Soviet citizens, but sophisticated treatment for complicated or serious illness is in practice an option only for the elite.

Soviet citizens generally enjoy a diet which is adequate in calories. The percentage of calorie supply available for consumption as a percentage of caloric nutritional requirements in 1977 was 135 percent. However, the average Soviet diet, particularly in winter, often lacks necessary vitamins, minerals, and proteins. The availability of food staples has deteriorated in recent years. Different systems of food rationing are introduced by local authorities as needed on an ad hoc basis. Republic capitals and large metropolitan cities enjoy a privileged level of supply, but shortages are endemic in provincial areas, where the diet is often poor and monotonous. The Soviet citizen can obtain his daily groceries usually only by spending two or three hours waiting in a queue, or by resorting to the black market.

The infant mortality rate, estimated to be 30 per 1,000 live births in 1980, has been increasing at an alarming rate. (Some estimates place the infant mortality rate even higher, at 38-45 per 1,000.)

The Soviet Union has created a massive educational system that extends to all citizens. Basic literacy among Soviet citizens is practically universal, and the young people of many nationalities can read and write Russian as well. Education is free at all levels and is compulsory through the tenth year. All regular students admitted to institutions of higher learning receive stipends indexed to their academic achievements. Opportunities for education and professional advancement created by national development under the Soviet regime have led to greater mobility for a large part of the Soviet population.

The 1980 Soviet GNP per capita was $4,550. A relatively high proportion of the Soviet GNP is devoted to subsidizing the basic necessities of life such as staple foodstuffs, housing, medical care, education, and public transport. Therefore, despite his relatively low average income of 235 rubles ($325) a month, according to official Soviet sources, the typical Soviet citizen is not poor in the Western sense of the term. But as mentioned above, income alone, even wealth, does not necessarily guarantee access to many things which, taken together, define a high standard of living. The average Soviet citizen does not live nearly as well as other Europeans. The Soviet's diet, housing, and attire are inferior; his access to consumer durables such as automobiles is much more limited; and the quality of most public services is lower.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: USSR

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	0.1
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	0.0
OTHER-UN	0.0	0.0	0.0	0.1
EEC	0.0	0.0	0.0	0.0

ESTONIA, LATVIA, AND LITHUANIA

These three small states on the Baltic Sea attained independence after World War I. On August 23, 1939 representatives of Hitler and Stalin, in a secret protocol to the Nazi-Soviet Non-Agression Pact, relegated them to the Soviet sphere of influence. This agreement set the stage for the Soviet takeover of the Baltic states, which followed a similar pattern in each case. As a first step, each state was coerced into signing a mutual assistance treaty with the Soviet Union. The treaties stipulated that in return for permission to establish Soviet military bases in the Baltic area, the Soviet Union agreed to respect the sovereignty, state structure, and social systems of the Baltic states. The Soviet Union quickly violated these treaties. In June 1940, Soviet troops entered all three Baltic states. Pro-Soviet governments were imposed and forced fraudulent elections were held, which led to "petitions" that the states be incorporated into the Soviet Union. Soviet control was interrupted by the outbreak of hostilities with Germany, and the Baltic area became a battleground in the struggle between the two powers. The Soviet Union reimposed control as the war was coming to a close and carried out widespread arrests, deportations, and executions. Despite overwhelming Soviet military superiority, armed resistance in the Baltic states persisted for several years.

The United States does not recognize the forcible incorporation of Estonia, Latvia, and Lithuania into the Soviet Union.

Any manifestation of Baltic nationalism is harshly repressed. On August 23, 1979, the 40th anniversary of the Nazi-Soviet Pact, 45 Lithuanians, Latvians, and Estonians signed and published a letter, the "Baltic Appeal," calling for a repudiation of the Pact and restoration of full self-determination to the Baltic states. The Appeal was supported by several Russian dissidents, including Andrey Sakharov. Those who signed the letter met with reprisals including sentencing to labor camps, exile, and commitment to psychiatric hospitals.

After the Soviet Union imposed Marxist regimes on the Baltic states, their citizens faced infringements of their rights similar to those characteristic of the Soviet Union as a whole. Control from Moscow is particularly galling for these non-Slavic peoples, however, who for most of their history have been linked politically, economically, and culturally to the West and who have a recent memory of national independence.

The three countries also face the threat of ethnic assimilation. Their own populations were diminished by the casualities inflicted by Germany and the Soviet Union during World War II, by emigration, and by the massive deportations that accompanied Sovietization. Moreover, they have had to absorb an unusually large in-migration of non-Baltic persons, mostly Russians, from the Soviet Union. By 1970 one million non-Baltic Soviet citizens had moved to the Baltic coast. Eighty percent of them settled in the two smallest states, Latvia and Estonia, whose combined total population in 1970 was only 3.7 million. According to data in the 1979 Soviet census, in-migration to the Baltic states continues and amounted to an additional 226,000 persons during 1970-1979.

As a consequence of this inflow of settlers, by 1982 only about 53 percent of the population of Latvia consisted of ethnic

Latvians, compared to 77 percent in 1939. For Estonians, the figure was about 63 percent, compared to 92 percent during independence. Only in Lithuania, because of its higher birth rate and lower rate of in-migration, does the proportion of Lithuanians appear to have actually increased slightly, to 80 percent. Data in the 1979 Soviet census suggest, however, that the rate of natural increase in Lithuania has dropped substantially, while the rate of in-migration has increased by almost 60 percent. Lithuania may soon be faced with demographic changes similar to those of its Baltic neighbors.

Most Russians who move to the Baltics continue to use their native language, and the teaching of Russian is given a privileged position by law. As a result, there is strong pressure on the Baltic population to acquire and use Russian in school, at work, in everyday pursuits such as shopping, and in government and political activities. There is a general trend, most marked in Latvia and Estonia, toward increased use of Russian in higher education for teaching the sciences, while the Baltic languages are reserved for "soft" subjects such as the arts. This has aroused anxiety that these languages, the principal repository of Baltic ethnic identity and culture, are destined to become linguistic relics.

There has been some dispute as to whether the large postwar in-migration of Slavs, mostly workers, into the Baltic states is to be understood as part of a conscious policy on the part of the Soviet leadership to submerge the local populations in order to assimilate them. Against such an interpretation, it has been argued that the population flows have been a natural response to the need for additional labor for industry, particularly in Latvia and Estonia where the birth rate was low even before Soviet annexation. The question remains whether these countries, if independent, would have sought such rapid development of industry at the cost of so much social and cultural disruption.

In any case, it is clear that Soviet policy towards ethnic groups, aside from a toleration of some folk traditions as long as they remain strictly apolitical, is strongly assimilationist. The Soviet Constitution, for example, poses "social homogeneity" as a goal of the Soviet state.

During independence, the Baltic states enjoyed a standard of living higher than that of the Soviet Union, and even today the area is relatively prosperous by Soviet standards. Recent trends, however, have not been favorable. During 1982, Latvia and Estonia -- and to a lesser degree, Lithuania -- experienced a reduction of food supplies, particularly meat and dairy products. Industrial growth has also slowed in all three, most sharply in Estonia, where it fell to zero for the first half of 1982. In general, the relative advantage in living conditions that residents of the Baltic states have long enjoyed in comparison to Soviet Russia appears to be shrinking.

Since the creation of an independent labor movement in nearby Poland, security organs in the Baltic states have tightened measures to restrict even further the flow of ideas considered threatening to Soviet control. Particularly noticeable in Lithuania, these restrictions on travel and communication have been accompanied by a propaganda campaign intended to discourage contacts with Western visitors.

In most respects, the report on human rights for the Soviet Union applies to the Baltic states as well. The following individual reports for Estonia, Latvia, and Lithuania highlight issues that deserve separate mention.

ESTONIA

The smallest of the Baltic states, Estonia has a population of 1.5 million and is about the size of Denmark. Estonians are sophisticated and well educated. Their country has a diversified economy ranging from fishing and agriculture to advanced industry, and it possesses ample energy resources in the form of oil shale deposits along the northern coast.

Like Latvia, Estonia was strongly influenced by centuries of domination by a ruling elite of Baltic Germans, through whom the Estonians acquired their predominantly Lutheran faith. The capital, Tallinn -- once known as Reval -- has been an important Baltic trading center since the Hanseatic period. Estonia's centuries-old ties to Scandinavia and Central Europe explain why even under Soviet occupation it preserves a Western outlook and appearance that distinguishes it sharply from Soviet Russia.

Estonia declared its independence on February 24, 1918. After fighting off, with British and Finnish help, a Bolshevik attempt to annex the new country, it inaugurated a democratic parliamentary system of government. The Communist Party was banned after it attempted to seize power by force in 1924. The world economic crisis of the early 1930's contributed to political instability and polarization. To prevent a takeover by radicals of the right, in 1934 President Pats dissolved parliament and ruled by decree. During this period, civil and political liberties were restricted. In 1938, following constitutional reforms, a new parliament was convened in which opposition groups were represented.

The Soviet annexation of 1940, German occupation during World War II, and the subsequent Soviet consolidation of control and forced collectivization of agriculture shattered Estonia's political evolution and took a heavy toll of its small population. During the German period, about 6,000 Estonians were executed, including about 1,000 Jews, and about 25,000 Estonians serving voluntarily or under compulsion in German military units died. Between 1939 and 1959, up to 145,000 Estonians died in Estonia or the Soviet Union as a result of Soviet executions or deportations or while serving in the Soviet military. In addition, the nation lost about 100,000 refugees, who fled to the West just before the consolidation of Soviet control in 1944, and an unknown number of civilian war dead.

The number of Estonians living in Estonia today is smaller than during independence. Because of an influx of Slavic settlers, Estonians now make up only 63 percent of the population of their country, compared to 92 percent before World War II.

These population losses, the influx of Russian settlers, a growing pressure to use Russian rather than Estonian in school and at work, and the effect of censorship and an imposed ideology have combined to make fear of Russification a dominant concern of most Estonians today. The heavy-handed Soviet tactics of assimilation have worsened relations between Estonians and Russians in Estonia. It has led to several outbursts and demonstrations by students, to strikes, written appeals to the authorities and to Western officials and media, and to a great deal of interpersonal hostility.

Soviet officials have persecuted persons attempting to defend Estonian rights, accusing them of offenses ranging from "hooliganism" to "anti-Soviet" activities and subjecting them to prison camp, labor camp, exile, or psychiatric confinement. In March 1981 Juri Kukk, a respected scientist who quit the Communist Party because he had become severely disillusioned with Soviet policies, died in a Soviet prison camp where he had been on a hunger strike. Mart Niklus, a signer of the August 1979 "Baltic Appeal," was tried and sentenced to 10 years in labor camp and five years of internal exile. In May 1981 Sergey Soldatov, an ethnic Russian active in the Estonian rights movement, was expelled from Estonia.

Soviet restrictions on basic civil and political rights appear to have worsened during the past two years. Moreover, growing complaints have been heard in Estonia about shortages of food supplies and some consumer items.

1. Respect for the Integrity of the Person

Violations of this category of rights parallel those described in the report for the Soviet Union. A persistent feature is the use of vague charges such as "anti-Soviet agitation and propaganda" against Estonians seeking to exercise their political rights in defense of Estonian national interests.

2. Respect for Civil and Political Rights

Soviet authorities strictly forbid political activity outside the framework of the Communist Party. Within those narrow confines, Estonians are, statistically at least, fairly well represented within the Party membership. In the early 1970's, the proportion of Estonians in the overall Party membership (53 percent) was indeed lower than their share of the country's population (68 percent), but at higher Party levels -- for example the Estonian Central Committee, the Supreme Soviet, ministers, and their deputies -- the share of ethnic Estonian representation was 80 percent or higher.

The Soviet invasion of Czechoslovakia in 1968 shook that consensus by demonstrating that the Soviet Union would not permit even an allegedly sovereign state to pursue its own internal political and social course. The prospect of Estonia's achieving any meaningful autonomy "within the system" suddenly appeared very remote. This realization led to increased political activity in Estonia outside the Communist Party. One manifestation of this was a series of appeals that made their way to the West. In 1972 a memorandum to the United Nations from the Estonian National Front and the Estonian Democratic Movement asked for a restoration of Estonia's independence through elections supervised by the UN. A memorandum issued in 1974 supported the previous one and reported the arrest of four persons accused of being associated with it. In 1975 a joint Estonian-Latvian memorandum to participants in the Helsinki Conference called for real detente based on respect for human and national rights and also appealed for the restoration of Baltic independence.

Estonian political and human rights activity was temporarily suppressed by Soviet security forces during the second half of the 1970's, but in October 1980 Estonian discontent exploded into demonstrations by thousands of high-school students, who demanded not only better conditions in school but freedom for Estonia and the departure of the Russians. The authorities used violence to break up the demonstrations, arrested hundreds, and charged the organizers with "hooliganism."

The Soviet reaction prompted a remarkable open letter signed by 40 Estonian intellectuals. It was addressed to the Soviet media -- which did not publish it. The letter said that the students' protest was representative of "perilous splits" in Estonian society, "of conflict between the leaders and the led." It outlined Estonian grievances, including economic hardships, but emphasized that Russification of Estonian society was the primary cause of the tensions that had provoked the student demonstrations. To avoid a repetition of such events, the authors said, "something should be done . . . to guarantee that the native inhabitants of Estonia will always have the final word on the destiny of their land and people."

The worsening situation prompted another open letter, this one unsigned, from another group of Estonian intellectuals in 1982. The letter, dated March, 1982, was printed in full on October 1, 1982, in an Estonian emigre newspaper in Sweden. It complains of the growing size of Estonia's Russian-speaking population; the curtailment of already limited autonomy; the building of new Soviet military bases; the appointment of officials who take a hard Soviet line on nationality questions; and the exploitation of Estonia's resources without Estonian control. In education, the letter says, Russification is particularly flagrant. Only token efforts are made to teach Russian-speaking children Estonian. On the other hand, there is strong pressure on Estonians to pursue Russian-language programs. At the university level, particularly in the sciences, Estonian students often have to take Russian language courses, even when they make up the majority of a class.

The right of emigration is no more respected in Estonia than in the USSR. There are five families on the latest US Representation List of Divided Families seeking emigration to the United States, including two families that have been applying for over six years, and four families applying for more than five years. In addition, there are nine Estonian families who have repeatedly been denied permission to emigrate to Israel. Emigration is discouraged through intimidation and harassment.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The attitude of the USSR on the investigation of human rights violations within its own territory, as stated in Section 3 of the preceding report on the USSR, applies equally to Estonia.

4. Economic, Social, and Cultural Situation

Estonia, by Soviet standards, has a high standard of living and an advanced industry. In the past two years, however, a decline in food supplies and a reduction in some consumer goods helped to prompt some of the manifestations of discontent described above. Also, Soviet statistics show that the growth rate of Estonian industry ground to a halt during the first half of 1982.

The exploitation of Estonia's oil shale deposits under central Soviet control has provoked sharp criticism in Estonia. Used for thermal energy production and for the chemical industry, the deposits have been exploited at an accelerating rate, although only about a third of the electrical energy produced from this source can be used in Estonia. In addition to the rapid depletion of a national resource, concern has been aroused by the enormous amount of pollution and environmental damage caused by shale exploitation. A memorandum from 17 Estonian scientists in 1977 described the area as " . . . a moonscape with ash and barren rock towering above a gray, nearly dead landscape. Fertile soil and vegetation have been destroyed over large areas, and the air has been polluted with dust, smoke, compounds of sulphur, nitrogen, phenols, and other toxic substances." Despite strong local opposition, Soviet authorities have authorized the construction of a third shale-fired thermoelectric plant in Estonia.

Estonian-Russian tensions are close to the surface in Estonia; they appear to be increasing as the Russian-speaking part of the population grows in size and a new Estonian generation, uncowed by personal memories of the vast Soviet deportations of 1939, matures. One manifestation is the reluctance of Estonians to learn or use the Russian language. In 1979, only 24 percent of Estonians said they spoke Russian well, a decline of five percent from 1970. The proportion of Russians who speak Estonian is even smaller: only 14 percent in 1970.

Many Estonians can understand Finnish and have been able to stay in touch with developments outside the USSR through Finnish radio and TV. In 1982, an Estonian newspaper complained about Finnish telecasts and falsely accused Finland of beaming propaganda broadcasts into Estonia. There were indications late in the year that Soviet authorities were taking steps to curtail the access of Estonians to these uncensored TV programs.

LATVIA

With a population of 2.5 million, Latvia is intermediate in size between Estonia and Lithuania, and the country is situated between them on the eastern Baltic littoral.

Today, the capital Riga and many of Latvia's other population centers are the most Russified in the Baltic states. Since annexation, Latvia has had to absorb the largest number of Slavic settlers from the Soviet Union, over 600,000. Soviet statistics indicate that this in-migration is continuing at the rate of about 12,000 per year. Of the Baltic peoples, Latvians are the closest to becoming a minority in their own land. They now make up only 53 percent of Latvia's inhabitants and less than 40 percent of the population of their capital.

This relentless influx of settlers with a different language and different political and cultural traditions is the chief problem facing Latvians today and threatens their survival as a distinct ethnic group. More advanced than in Estonia or Lithuania, the process of assimilation in Latvia has led to an "endangered species" mentality among many Latvians. Soviet authorities strictly forbid any political activity with a nationalist flavor, and the granting of true autonomy within the Soviet system appears highly unlikely.

During its first decade of independence, Latvia established a liberal parliamentary democracy, which carried out extensive political and economic reforms. The proliferation of competing political parties and the global economic crisis of the early 1930's undermined political stability. An authoritarian regime was imposed in 1934 which restricted civil and political rights. Succeeding Governments promised a return to democracy following constitutional reforms, but these were never completed. In 1940, the Soviet Union annexed Latvia, and in 1941 it was seized by Germany. Extensive and brutal violations of human rights accompanied both events, in which some Latvians participated. Under German occupation a Nazi extermination camp was set up at Salaspils near Riga; tens of thousands of Jews perished there. The Soviet reconquest of 1944 was again accompanied by extensive arrests, deportations, and executions. By one estimate, nearly 300,000 Latvians were lost to the war, Nazi occupation, and forcible annexation. The ethnic Latvian population in 1982 was even smaller than at the end of independence.

Under Soviet rule, Latvians have suffered deprivations of basic rights characteristic of the Soviet system, and recent trends are not encouraging. Within the past two years there has been a series of arrests and trials of persons suspected of affiliation with non-Communist political organizations. Propaganda and intimidation designed to discourage contact and communication with the non-Soviet world have increased. Restrictions on emigration and travel have been tightened. Censorship remains severe, and it appears that the scope allowed for use of the Latvian language, for example in education, has diminished further. A new hardship -- shortages of food, particularly meat and dairy products -- aroused growing concern among Latvians in 1981 and 1982.

1. Respect for the Integrity of the Person

Violations parallel those described in the report on the Soviet Union. In Latvia, the authorities make liberal use of accusations ranging from espionage to "anti-Soviet behavior" to persecute Latvians who oppose Soviet rule or who paint the Soviet occupation in a negative light. For example, the young Latvian Zanis Skudra is serving a 12-year sentence following his trial in 1978. It appears Skudra offended the authorities by compiling and disseminating a photographic record of Latvia's churches since the Soviet annexation.

2. Respect for Civil and Political Rights

The situation in Latvia with respect to free speech, freedom of the press, and the right of peaceful assembly and association is just as circumscribed as in the Soviet Union, with the added restriction that any Latvian nationalist political activity is strictly forbidden. Religious worship is narrowly confined. Members of the Catholic, Baptist, and Adventist churches appear to have encountered more difficulties with the authorities than the larger Lutheran church, perhaps because they have been more active and outspoken. A Catholic priest, for example, complained during a sermon in Riga in 1982 of the restrictions on the number of priests, which compel some to serve as many as 17 parishes simultaneously.

The granting of permission to emigrate from Latvia is arbitrary and subject to increasing restrictions. Harassment of potential emigrants and the general deterioration of their living conditions, once intent to emigrate is known, is designed to discourage applications. A Latvian with a claim to US citizenship, Arthur Zarins, has been seeking exit permission since 1947. Currently there are 60 Latvian families on the list of those repeatedly refused permission to emigrate to Israel; some have been seeking permission for ten years.

The freedom of Latvians to participate in the political process is as limited as in the Soviet Union. The Communist Party and Government of Latvia have an opportunity to advance their own interests, within limits, as against other parts of the USSR, but they are compelled to construe their interests in such as way as to exclude a great deal historically incorporated in Latvian national identity. In 1958 a movement gained strength within the Latvian Communist Party to avert further Russification by limiting Latvia's industrial growth to a pace that could be supported by Latvia's own labor force and resources. Proposals were also made for education reforms and for the replacement of Russian Party officials by native Latvians. The Soviet leadership, alarmed by this threat to control from Moscow, removed the movement's leadership, which included top-level Latvian Party members, and carried out a sweeping purge intended to root out Party members with nationalist tendencies down to the level of school principals. Despite this purge, 17 Latvian Communist Party members sent an appeal in 1972 to West European Communists, again complaining of the Russification of Latvia's political and economic structure and the submersion of the Latvian language.

It should be noted in this connection that Latvians have the lowest proportion of Communist Party membership of the three Baltic states. In 1973, ethnic Latvians comprised only 43 percent of all Party members in Latvia. Latvians thus are a minority in the only legal political party in their country.

Political activity outside the Communist Party is not tolerated. The past two years have seen what appears to be a purge directed against persons connected directly, indirectly or simply by family relationship to the Latvian Social Democratic Workers Party. (The Party, now based in Stockholm, stems from the principal left-wing political party of the period of Latvia's independence.) Among the victims of this campaign were Juris Bumeisters and Dainis Lismanis, sentenced in May 1981 to 15 and 10 years of imprisonment, respectively; Valdis Vinkelis, 70, who died in a prison hospital following his arrest in March 1981; and his nephew, Juris Vinkelis, sentenced in January 1982 to two years in prison. In May 1981 the underground Social Democratic Party distributed a leaflet calling for independence, restoration of democratic rights, and an end to Russification. There has been speculation that Soviet authorities, alarmed by developments in Poland, are trying to stamp out the Social Democrats in Latvia to prevent them from becoming a catalyst for independent political activity.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The attitude of the USSR on the investigation of human rights violations within its own territory, as stated in Section 3 of the preceding report on the USSR, applies equally to Latvia.

4. Economic, Social, and Cultural Situation

Since its annexation, Latvia has become an industrial workshop and trading center for the Soviet Union, importing raw materials and producing finished products for export or distribution within the Soviet Union. The emphasis under Soviet rule has been on heavy industry: industrial output increased by a factor of 40 from 1940 to 1976. During the same period, however, agricultural production increased by a factor of only 1.4. The effect of this disproportionate investment in industry, because of Latvia's small labor force and very low birth rate, has been to produce a massive influx of Slavic workers from elsewhere in the Soviet Union, with acompanying social and cultural dislocation. The neglect of agriculture, in turn, has caused shortages of food, particularly meat and dairy products, in a country that exported such products during independence. While starvation or severe malnutrition are not present, there has been an observable deterioration in the average diet during the past two years.

By most measures of economic well-being, Latvia has for decades been regarded as better off than most areas of the Soviet Union. To some extent, its former prosperity is now working against it, as centrally controlled funds are diverted to less developed parts of the Soviet Union. The deterioration of housing in Riga is readily observable, and the same phenomenon is said to extend throughout the economic and social infrastructure, including roads, schools, institutes, hospitals, and even factories.

The large proportion of non-Latvians in the population, along with cultural censorship and a mandatory ideology, has placed the Latvian language and culture in jeopardy. Lacking an internal rallying point such as the Catholic Church provides for Lithuanians, or a nearby external point of support, as Finland is for Estonians, Latvians face worsening odds in their efforts to preserve and refresh their own cultural traditions. The applied arts are still practiced at a high technical and esthetic level, but with few exceptions most other cultural activities have declined.

LITHUANIA

Lithuania was a dynamic nation-state that, in union with Poland, dominated an expanse of Eastern Europe from the Baltic to the Black Sea until the 18th century. Today, Lithuania is a country of 3.4 million inhabitants forcibly incorporated into the Soviet Union. Its ancient language is most similar to Latvia's, but Lithuania's political and cultural traditions have been influenced by centuries of ties to Poland. Those ties, although close, have often been stormy.

The population of Vilnius, the capital city, has long been ethnically diverse and today is only about 50 percent Lithuanian. Overall, however, Lithuania is far more ethnically homogenous than Latvia or Estonia. Its relatively high birthrate has helped to stabilize the Lithuanian share of the population at about 80 percent for several decades. Recent statistics indicate, however, that Lithuania's birthrate is declining while the rate of in-migration from the Soviet Union has increased by almost 60 percent since the 1960's, to an average annual rate of 7,300 during the 1970's. These trends suggest that Lithuania may soon face the same sort of demographic shifts that have already aroused fear of assimilation among Latvians and Estonians.

Since the 14th century, the Catholic Church has played a central role in molding the beliefs and traditions of the Lithuanian people. As in Poland, the history of the Church in Lithuania has become intertwined with the nation's sense of identity. Even today, after four decades of sometimes violent repression of religious activity by the Communist Party, a majority of Lithuanians are practicing believers. The Church has provided them with a rallying point in their efforts to preserve their rights and traditions against an imposed, repressive regime, and it has helped them to maintain contact with the outside world. In 1982, the "Chronicle of the Catholic Church in Lithuania," an underground publication modeled on Soviet "samizdat," marked its tenth year of reporting to Lithuanians and to the world on the restrictions imposed by the Soviet regime against religious activity.

After attaining independence after World War I, Lithuania for a time operated under a parliamentary system with a strong unicameral legislature. The military coup of December 1926 led to the establishment of an authoritarian regime which restricted civil and political liberties. In 1939, the fate of Lithuania, like that of the other Baltic states, became the subject of secret negotiations between the Soviet Union and Nazi Germany. Like them, it was forcibly annexed by the Soviet Union in 1940, then occupied by Nazi forces, and finally reconquered by the Soviet Union at the end of the war, with heavy human losses during each bloody exchange. It is estimated that 190,000 Jews were killed in Lithuania during the Nazi period; some Lithuanians participated in the exerminations. Reimposition of Soviet control was accompanied by mass arrests, deportations and executions. During the years 1940-41 and 1944-1952, almost 500,000 Lithuanians were deported to Siberia and elsewhere in the USSR. Lithuanian armed resistance nevertheless persisted into the 1950's.

Since its forcible annexation of Lithuania, the Soviet Union has attempted to eliminate all independent political activity. Its persecution of religious activity there, including the harassment and intimidation of children, is well documented. In the past few years there have been a number of suspicious attacks on Catholic priests, several of them fatal, which some allege were organized by Soviet internal security organs.

Respect for human rights has deteriorated in Lithuania during the past two years. Fearful that independent political activity in Poland would spill over into Lithuania because of the traditionally close ties between the two countries, Soviet authorities have taken special measures to restrict Polish-Lithuanian contacts and have threatened reprisals against workers who attempt to organize along the lines of Poland's Solidarity. At the same time, the economic situation of Lithuanians has worsened, particularly with respect to food supplies and some consumer goods.

1. Respect for the Integrity of the Person

There have been many reports from Lithuania about violations of this category of rights. Among the most serious are reports of the suspicious deaths of several Catholic priests. The most recent was the death in December 1981 of the Rev. Bronius Laurinavicius, who was a member of the Lithuanian Helsinki Monitoring Group. His death followed those of the Rev. Leonas Mazeika in August 1981 and of the Rev. Leonas Sapoka in October 1980. All these priests had been the object of criticism in the official media, and there have been persistent allegations that Soviet security organs were involved in their deaths.

Soviet authorities frequently use the legal system to suppress human rights activists in Lithuania, sentencing them to prison, labor camp, exile, or psychiatric hospitals. Members of the Lithuanian Helsinki Group have been among the most frequent targets of such practices. Two of them, Vytautas Skuodis and Algirdas Statkevicius, also have a claim to US citizenship, which the Soviets have refused to recognize. Skuodis was sentenced in December 1980 to seven years of strict regime camp and five years of internal exile. His wife has been threatened and harassed. Statkevicius was tried in absentia in August 1980 while in psychiatric confinement and sentenced to compulsory treatment at the psychiatric hospital in Chernyakhovsk.

Invasion of the home is known to occur. Lithuanian believers have reported numerous instances of disruption of religious services in private apartments. There have also been cases where non-religious gatherings of known believers have been interrupted by the security authorities.

2. Respect for Civil and Political Rights

Press censorship in Lithuania is rigid but despite the authorities' control of the media, underground publications describing restrictions in religious freedom, curtailment of free speech and cultural expression, and other violations of rights have continued to appear in Lithuania. In addition to "The Chronicle of the Catholic Church in Lithuania," they include "Ausra" (The Dawn), "Tautos Kelias" (The Path of the Nation), "Lietuvos Ateitis" (Lithuania's Future), and "Perspektyvos" (Perspectives). Persons accused of publishing or distributing them have received sentences, including prison, labor camp, exile, and compulsory psychiatric treatment, typically on the charge of "anti-Soviet agitation and propaganda."

Religious activity has been harshly -- and, apparently, sometimes violently -- repressed. In addition to the attacks on Catholic priests mentioned above, religious processions have been disrupted, religious sites razed, and church officials prevented from carrying out their functions. Many instances have been reported of the harassment and intimidation of children of all ages to deter them from attending church or participating in religious gatherings. The intensity of the Soviet authorities' attack on the Lithuanian Church has intensified during the past two years, most likely from fear of its role as a defender of elementary rights and a repository of Lithuanian national sentiment.

For both religious and political reasons, there has been opposition in Lithuania to the drafting of young men into the Soviet Army, particularly for service in Afghanistan. Draft deferment or alternate service for reasons of conscience or religious belief is not permitted by the Soviet regime. Draftees who resist service in Afghanistan have been maltreated and threatened with court martial for treason.

The right to travel was curtailed in 1981 and 1982. Many Lithuanians have family and personal ties with Poland, and in past years travel back and forth was relatively frequent. Following the development of an independent labor movement in Poland, the Polish-Lithuanian border has been closed for extended periods. Before the introduction of martial law there, the importation of printed materials from Poland was also sharply reduced. Anti-Solidarity propaganda and other intimidation designed to suppress the formation of a free labor movement has been particularly shrill in Lithuania.

Emigration is permitted only rarely and arbitrarily. A variety of means, including dismissal from employment, psychological harassment, and reduction of living standards, has been used to deter persons from emigrating. Ten Lithuanian families appear on the official US list of divided families seeking permission to emigrate to the United States, and another four families each contain a member with a claim to U.S. citizenship. There are 46 Lithuanian families on the list of those repeatedly refused permission to emigrate to Israel.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The attitude of the USSR on the investigation of human rights violations within its own territory, as stated in Section 3 of the preceding report on the USSR, applies equally to Lithuania.

4. Economic, Social, and Cultural Situation

Lithuania is the most rural of the Baltic states. A high priority was placed on the development of industry since the Soviet occupation, but about half the labor force remains employed in agriculture.

Like its Baltic neighbors, Lithuania until recently enjoyed relatively high living standards compared to the level of the USSR. This comparative advantage is now being eroded in several vital sectors. Soviet statistics published in the first quarter of 1982 showed that meat production by state-controlled enterprises in Lithuania had declined for the fourth consecutive year. Milk production is also failing to keep pace with the demand for dairy products, and grain harvests have been meager. These difficulties with agricultural production have been compounded by a Soviet-imposed requirement that Lithuania increase its food exports to troubled Poland. As a consequence, the average diet has deteriorated. Supplies of high-quality consumer goods have also decreased during the past year because of curtailed border trade with Poland. The quality of housing remains above general Soviet standards.

The relative homogeneity of Lithuania's population, its strong sense of national identity, and the binding force of the Lithuanian Church have helped to preserve many of the country's social and cultural traditions. Nevertheless the disruptive effects of an imposed atheist ideology, forced collectivization, and a policy of industrialization have been severe. Rigid controls on cultural and religious expression have forced many Lithuanians into "underground" activity, which brings them into conflict with the authorities. A reduction in the amount of Lithuanian language instruction at the primary level in 1982, with a corresponding increase in the teaching of Russian, has aroused fear that the groundwork is being laid for the eventual linguistic Russification of the country. Only about a third of the Russian-speaking Slavs who settle in Lithuania learn or use the native language.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

The United Kingdom is a multiparty democracy in which human rights are traditionally respected and zealously guarded. Both the British people and their freely elected Government continually seek to maintain and improve the high quality of human rights practices domestically and to promote higher levels internationally. These long-established traditions have been much tested in Northern Ireland, where the British Government strives to combat terrorist violence--the most discussed human rights problem in the UK--and to maintain public safety against a background of a sharply divided society.

The United Kingdom enjoys a highly-developed industrialized economy with a mix of private and state-owned industries. It provides a large and comprehensive social welfare program for the population. Public policy, supported by legislation, opposes discrimination on the basis of race, religion, sex, or political opinion. During the past year the Government has actively sought to develop and implement positive measures to combat de facto racial inequalities, in an effort to eliminate the causes of the urban unrest that occurred in 1981.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

The British authorities do not practice killing for political motives.

However, in the highly volatile situation in Northern Ireland, incidents of killing have occurred. Most recently, two British soldiers were charged with murder for the fatal shooting of an unarmed member of the Irish Republican Army in August 1982.

British Government sources report that during the twelve months prior to October 1982 over 75 killings occurred in the United Kingdom as a result of terrorism related to the issue of Northern Ireland. Over three-fourths of these occurred in Northern Ireland itself.

b. Disappearance

The British authorities do not abduct, secretly arrest, or hold persons in clandestine confinement.

According to British Government sources, during the twelve months prior to October 1982, no disappearances occurred in the United Kingdom as the result of terrorist activities.

c. Torture

The United Kingdom is a signatory to the European Convention on Human Rights, which prohibits the use not only of torture, but also inhuman or degrading treatment or punishment. British domestic law forbids mistreatment or torture of prisoners, and provides penalties for such abuse. In addition, confessions obtained by torture or any other inhuman or degrading treatment are not admissible as evidence in court.

There are no substantiated allegations of torture currently pending against the United Kingdom.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The British authorities do not practice deliberately cruel, inhuman, or degrading treatment or punishment of prisoners. The Government acknowledges that British prisons, many of which were built during the Nineteenth Century, are unsatisfactory and over-crowded. In 1981 prisons in England and Wales officially capable of holding roughly 39,000 persons held an average of 43,000. The Government is attempting to relieve the overcrowding by building new prisons, modernizing old ones, and reducing the length of prison sentences.

In questioning arrested persons, police are required to comply with the judges' rules and administrative directions to the police, except where superceded by the Northern Ireland (Emergency Provisions) Act of 1978 (See Section e below).

In recent cases where there have been allegations of breaches of accepted standards of treatment of prisoners, the British Government has responded with public investigations and the implementation of recommendations aimed at more effective prevention of abuses.

In response to a June 1978 report by Amnesty International calling for a public inquiry into alleged maltreatment of suspected terrorists in Northern Ireland, the British Government established an independent committee of inquiry. The Government accepted and implemented the committee's recommendations on police practices and procedures, which include closed-circuit TV in interviewing rooms, greater access to counsel, and closer supervision of interrogators by their superiors.

Allegations of mistreatment in Northern Ireland have declined in recent years. In June 1981 a Cobden Trust study noted that allegations of physical ill treatment had virtually disappeared.

In 1982 the Home Office began an ongoing investigation into charges that drugs were being administered to prisoners against their will for the purpose of controlling their behavior. The Home Office stated that prison doctors have no statutory authority to administer treatments against their patients' wishes.

Prisoners convicted of crimes committed for allegedly political reasons are classed according to their crime, rather than their motives. The Government has resisted attempts by convicted terrorists in Northern Ireland to achieve the status of political prisoners. These attempts included prison protests, hunger strikes, and complaints to the European Commission on Human Rights, which were dismissed. The Government has, however, accorded special category status to some of these prisoners convicted of offenses committed prior to 1976.

Two recent studies have addressed the question of racial discrimination in the treatment of prisoners and detainees in the United Kingdom. The Scarman Report on the Brixton disorders of April 1981 found that the direction and policies of the London Metropolitan Police Force were not racist, but did suggest measures to reduce individual policy violations in this area: Acting to increase recruitment of ethnic minorities into the police force; making racially prejudiced or discriminatory behavior a police offense punishable by dismissal; establishing scientific means of detecting racial prejudice in police applicants; and institutionalizing consultations between local police and the communities they serve.

An October 1982 study by the Institute of Judicial Administration at Birmingham University examined nearly 1500 trials involving black and white defendants in Birmingham and London Crown Courts, and found no evidence of direct, systematic bias on racial lines in Crown Court sentencing.

e. Arbitrary Arrest and Imprisonment

The Criminal Law Act of 1967 (and the Criminal Justice Act of Northern Ireland of 1977 which applies similar provisions to Northern Ireland) empowers a constable to arrest without warrant any person whom he, with reasonable cause, suspects has committed, is committing, or is about to commit what is, or what he reasonably suspects to be, an arrestable offense. Procedures for bail, habeas corpus, and suits for false imprisonment are routinely available in the United Kingdom.

Except as noted below, anyone arrested without a warrant in the United Kingdom must be released on bail if he or she cannot be brought before a Magistrates' Court within 24 hours, unless the alleged offense is serious. If detained in custody the defendant must be brought before a Magistrates' Court as soon as practicable. In 1981 the average length of time spent in custody by people awaiting trial was 38 days (up from 21 days in 1971, due to increased case loads).

British Common Law allows for the abrogation of individual liberties by the executive in an emergency situation, subject to review by Parliament. Continuing violence in Northern Ireland has presented the Government with a serious problem of protecting the rights and safety of the province's population as a whole. Acting on the premise that the fundamental "right to life" was in serious jeopardy due to the troubles in Northern Ireland, the British Government adopted two acts to deal with the threat: The Northern Ireland (Emergency Provisions) Act of 1973, now amended and consolidated as the Northern Ireland (Emergency Provisions) Act of 1978, which is applicable only to Northern Ireland; and the Prevention of Terrorism (Temporary Provisions) Act of 1976, which is applicable to the entire United Kingdom. Although both these acts empower the restriction of personal liberties, they are subject to Parliamentary review and to mandatory renewal at frequent intervals -- in the case of the 1978 Act at six monthly intervals and in the case of the 1976 Act at annual intervals. Both acts were renewed upon the occasion of their most recent review over the objections of a vocal minority.

Under the 1978 Act the police in Northern Ireland are empowered to arrest without warrant any person suspected of being a terrorist, and to detain that person for up to 72 hours on their own authority. The 1978 Act also gives the police the power to arrest without warrant a person suspected of committing, having committed, or being about to commit, a "scheduled" offense (i.e., one listed on a schedule attached to the law). For the purpose of doing so, the police may enter and search without a warrant any premises or other place where that person is, or where the police suspect him of being .

The Prevention of Terrorism Act of 1976 also gives the police the power to arrest without warrant persons anywhere in the United Kingdom whom they reasonably suspect to be involved with terrorism. Under this Act such persons may be detained for up to 48 hours after their arrest. The Secretary of State for Home Affairs and the Secretary of State for Northern Ireland may extend the period of 48 hours by a further period not exceeding five days. This police power extends throughout the United Kingdom. Under the 1978 Act, members of the Armed Forces on duty may arrest suspected terrorists without warrant and hold them for up to four hours, after which they must be transferred to police custody. There have been no allegations that these limits have been exceeded by the police or the armed forces. In Northern Ireland, the police have accepted and implemented the Bennett Committee recommendation that persons arrested under the Prevention of Terrorism Act and the Emergency Provisions Act have the right of access to a solicitor after 48 hours detention.

f. Denial of Fair Public Trial

In the United Kingdom fair trial is guaranteed by law and observed in practice. All criminal proceedings are conducted in public, with the exception of: Cases involving public security; cases heard in the juvenile courts, from which the public, but not the press, is excluded; and cases in which, on the ground of public decency, the judge has discretion to close the court while evidence of a particularly intimate character is being given by a child or young person. In the trial of charges under the Official Secrets Act, the court can be closed only during the hearing of such parts of the trial as the judge, in his discretion, deems desirable; and the sentence must always be passed in public. In Northern Ireland "scheduled offenses" (broadly speaking, terrorist offenses) are tried by a judge sitting alone. This form of criminal trial was introduced after the Diplock Committee, set up in 1972 to consider legal procedures to deal with terrorist activities in Northern Ireland, had made its recommendations. It recommended that, for scheduled offenses, trial by judge alone should take the place of trial by jury for the duration of the emergency. Among the arguments for this recommendation were that jurors were open to and afraid of intimidation, and that there was a continuing risk of perverse acquittals by partisan juries. The normal rules of evidence have been altered in such cases to allow for the admissibility of statements made by the accused while in custody, provided that such statements were not made as a result of torture or inhuman or degrading treatment. The absence of a jury has been the subject of criticism. The British Government states this measure was introduced because of fear of intimidation of juries or acts of physical violence against jury members. Critics maintain the conviction rates in these courts are unusually high. The defendant convicted in such a court has a right of appeal to the Court of Criminal Appeal, on any ground, against conviction or sentence. At present, those concerned about the administration of justice in Northern Ireland are considering possible alternatives to the single-judge system, which might involve either a collegiate court or the use of lay assessors. This matter will doubtless be one of the important areas to be considered by the Governmental inquiry into the operation of the Emergency Provisions (Northern Ireland Act of 1978) mentioned earlier in this document.

The criminal law jurisdiction acts, enacted by both the British Government (1975) and Irish Government (1976), permit trial in Ireland, Northern Ireland, or Britain of those accused of certain terrorist offenses, regardless of where the offense was committed.

g. Invasion of the Home

Warrants are generally required for the search of private premises. However, under the Emergency Provisions Act as amended in 1978, in Northern Ireland any member of the armed forces on duty or any constable may enter any premises or other place, if he or she considers it necessary to do so in the course of operations for the preservation of peace or the maintenance of order. This provision was introduced in recognition of the practical difficulty of obtaining a warrant in certain situations involving terrorist incidents, but it has been criticized for allowing excessively broad powers of entry on mere suspicion of wrongdoing.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Personal liberty and freedom of speech are accepted parts of the British way of life. These freedoms are well established by history, custom, and tradition.

Some radio and television stations are state-owned. Newspapers and periodicals represent widely differing views and do not hesitate to criticize the Government.

There is no Government intimidation or censorship of the media, or of foreign and domestic books and artistic works. Non-governmental limitations on freedom of expression may occur, however. For example, in one known case in 1982 a local trade union refused to print a newspaper editorial which conflicted with union views.

b. Freedom of Peaceful Assembly and Association

Freedom of peaceful assembly and association are a part of the long established tradition of civil liberties in the United Kingdom. Except in cases of extreme civil disorders where public safety is judged to be at risk, the British authorities do not limit individuals' freedom to attend public meetings of their choice. Neither is any limitation placed on individual freedom to join associations, including trade unions.

British trade unions exist in nearly all industries and occupations and have full rights to organize, negotiate and strike on behalf of their members. The Employment Act of 1980 does make unions legally liable under civil law for "sympathy" strikes. In the rare instance where the right to strike is prohibited, e.g. by police officers, there are other means to resolve labor relations differences.

The Government does not control or influence unions and other associations, nor does it practice intimidation, harassment, or persecution, nor limit in any way their freedom to maintain relations with recognized international bodies.

The one significant exception to freedom of association in the United Kingdom arose in response to terrorist violence in Northern Ireland. The Northern Ireland Emergency Provisions Act of 1978 includes a section prohibiting membership in or support of organizations (Protestant and Catholic) which are involved in terrorism. These organizations are specifically listed in the statute. The list does not include political parties, even those with close links to terrorist organizations. Persons prosecuted under this section are brought to trial in accordance with the trial procedures laid down by the 1978 Act.

c. Freedom of Religion

As a matter of Government policy and in general practice everyone in Britain has religious freedom (in teaching, worship, and observance) without interference from the community or the state. Churches and religious societies may own property, conduct schools, and propagate their beliefs in speech and writing. There is no religious or denominational bar to the holding or public office except in the case of the sovereign, who must be a member of the Church of England.

In a recent case a Sikh boy was barred from wearing a turban to school. The British Court ruled that the boy was not entitled to protection under the Race Relations Act of 1976 because the Sikhs constituted a religious, and not a racial group.

In Northern Ireland, the Constitution Act of 1973 does specifically prohibit discrimination on the basis of religious belief or political opinion. Since the 1969 unrest, and especially since direct British rule was imposed in Northern Ireland in 1972, specific measures have been introduced to combat religious discrimination against Catholics that had existed previously in politics, housing, and employment. These measures included: Institution of universal suffrage, along with proportional representation in place of single-member districts for local council elections, and abolition of voting limitations based on wealth or property ownership; prohibition of religious or political discrimination by any level of government; establishment of a Commissioner for Complaints to deal with grievances against local councils and public bodies and a Parliamentary Commissioner for Administration; establishment of a Central Housing Authority to meet the problem of sectarian discrimination in housing allocation and launching of new housing projects; prohibition of discrimination in employment, and establishment of a Fair Employment Agency to promote equality of opportunity; establishment of a standing advisory Commission on Human Rights; and a special effort to recruit more Catholics into the civil service and the police.

England and Scotland both have established churches. The established church's relationship with the state is one of mutual obligation--privileges accorded to the church balanced by certain duties which it must fulfill. The sovereign must always be a member of the Church of England and promise to uphold it; Church of England archbishops, bishops, and deans are appointed by the sovereign on the advice of the Prime Minister; all clergy take an oath of allegiance to the Crown. However, the State makes no direct financial contribution to church expenses and does not regulate church worship.

The Church of Scotland, while deriving its status as a national church from laws and treaties dating back to 1707, is completely self-governing both in spiritual and administrative matters.

The existence of these established churches in the United Kingdom does not limit the freedom or access to public life of members of other churches.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

In general citizens of the United Kingdom have freedom of movement within the country, foreign travel, emigration, and repatriation. The one exception to this general principle is contained in the Prevention of Terrorism Act of 1976. The act gives the Home Secretary the authority to exclude or prevent from entering Great Britain (comprised of England, Scotland, and Wales) anyone he believes may be connected with terrorism, unless that person is British and has been ordinarily resident in Britain for twenty years. Over 300 people have been excluded under this provision, mostly from Northern Ireland and the Republic of Ireland. The Secretary of State for Northern Ireland also has the power to exclude people from that province unless they ordinarily reside there. Once excluded from a region of the United Kingdom, the person subject to the exclusion order is forbidden to re-enter that area. These powers have been referred to by many, including the National Council for Civil Liberties, as a system of internal exile. In addition, the power exists to exclude from the United Kingdom any person who may be ordinarily a resident in the United Kingdom, but who is not a United Kingdom citizen.

e. Freedom to Participate in the Political Process

The United Kingdom is ruled by a government formed on the basis of a majority of parliamentary seats won in freely contested elections. Participation in the political process--discussion, debate, publication of dissenting opinions--is open to all persons and all parties, of which there are several, representing a broad range of political views.

For parliamentary and local elections, the franchise is given to all citizens 18 years of age and over who are not subject to any disqualification. Disqualified persons include peers, sentenced prisoners, and mental incompetents.

The right to citizenship itself will be significantly affected by the British Nationality Act, which came into force on January 1, 1983. Under one of its provisions, the automatic unchallengeable right to British nationality, previously accorded to virtually every child born in Britain, will now extend only to those children born on British soil of whom one parent has the right of permanent residence in the UK. This provision has been criticized by immigrants' welfare groups as likely to leave many children born in Britain (of refugees, stateless persons, and transients) effectively stateless and deportable. The act will also affect the status of citizens of British dependent territories and former colonies.

One anomaly resulting from the act is that certain persons born in Northern Ireland, while not entitled to British citizenship, will still hold Irish Republican nationality under Irish law, and as such, under existing British laws will still enjoy the right of abode, the right to vote, and the right to hold office in Britain.

Women are represented at all levels of British political life. Efforts are made by political parties to increase the proportion of women participating actively in the political process.

In Northern Ireland, an attempt is currently being made to return more responsibility for their own affairs to the people of that province by creating a Northern Ireland Assembly to which powers may be transferred under certain conditions. The first elections to this Assembly took place on October 20, 1982. In Northern Ireland, a system of proportional representation is used in local and provincial elections to ensure participation by minority groups.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The United Kingdom is a participant in several major international and regional human rights bodies, including the European Commission on Human Rights, the UN Human Rights Commission, and the UN Commission on the Status of Women. Its experts participate in the UN Subcommission on the Prevention of Discrimination and the Protection of Minorities, the UN Human Rights Committee, and the Working Group on Enforced or Involuntary Disappearances. In addition Britain is a party to other major human rights conventions, such as the Convention on the Elimination of All Forms of Racial Discrimination, the UN Covenant on Civil and Political Rights and the UN Covenant on Economic, Social, and Cultural Rights. The British Government is an advocate of measures to further improve the human rights machinery of the United Nations.

The British Government has maintained a fully open attitude toward international inquiries into alleged violations of human rights in the United Kingdom. For example, representatives of the European Commission on Human Rights and the International Red Cross visited Northern Ireland's prisons in July 1981.

Britain is the host country to several international non-governmental organizations in the human rights field, such as Amnesty International. Moreover, there are over 100 active national organizations in this field, which operate freely in London and throughout the United Kingdom.

4. Economic, Social, and Cultural Situation

The United Kingdom has been a pioneer in the development of the welfare state. Its National Health scheme is very comprehensive. British Governments have given high priority to education and housing and to care for needy persons.

In 1981 the population was 55,846,000 with a growth rate of 0.1 per cent. Life expectancy at birth in 1980 was 73.1 years. The infant mortality rate was 12.9 per 1,000 live births in 1981. The GNP per capita is about $8,000. The ratio of calorie supply available for consumption relative to nutritional requirements is 132 percent. The primary school enrollment ratio is 105 percent. The adult literacy rate is 99 percent.

By and large these advantages are well distributed among the population. It is acknowledged, however, that more needs to be done to eliminate economic and social disadvantages still suffered by women and members of ethnic minorities. A recent Home Office report states that despite the proscriptions of law, some de facto discrimination continues in the provision of goods and services.

The Race Relations Act of 1976 bars discrimination on the basis of race, color, or national or ethnic origin in the provision of goods, facilities, and services, in employment, training, and related matters, and in education, housing, and advertising. A Commission for Racial Equality was established under the Act to work toward the elimination of discrimination and to promote equality of opportunity and good relations between different racial groups. One method used by the Commission has been to encourage ethnic monitoring schemes at private and public enterprises in order to establish a factual basis on which to judge the progress of minorities toward equality.

In the spring and summer of 1981, the United Kingdom experienced destructive rioting in many of its urban centers. Various inquiries, at the national and local levels, were undertaken to examine the causes of these disturbances. Recommendations were made for positive measures to eliminate persistent racial disadvantage in housing, employment, and social services. In its January 1982 reply to the Parliament's Home Affairs Committee Report on Racial Disadvantage, the Government agreed to implement a number of the Committee's specific recommendations designed to combat racial disadvantage using the powers of the Home Office, the Departments of Education and Science, Employment, Environment, Industry, and Civil Services, and several other public bodies.

Equal status for women is provided in the Sex Discrimination Act of 1975 and the Sex Discrimination (Northern Ireland) Order of 1976. There is equal opportunity under the Law for Women in the Professional Fields and under the Equal Pay Act of 1970 (and corresponding legislation for Northern Ireland); women are entitled to equal pay with men when doing work that is the same or broadly similar. The Equal Opportunities Commission assists in the enforcement of these acts. There is a separate Commission for Northern Ireland.

Despite their equality under the law, in practice women have yet to achieve fully equal status in the United Kingdom. For example, in 1981 women accounted for only 23.3 percent of appointments to public bodies. Roughly one-third of public bodies surveyed by the Equal Opportunities Commission contained no women at all. In 1982 the European Court of Justice found that Britain had failed to establish a fair system of ensuring equal pay for equal work and ordered the UK to establish a means of requiring employers to introduce job classification systems on the basis of which equal pay claims could be adjudicated. Trade unions have complained of discrimination against women in occupational pension schemes, unemployment benefits, invalid care allowances, and housewives' non-contributory invalidity pensions.

On the other hand, progress toward de facto women's equality is also visible. In November 1983 a rule change in the social security benefit payments system will go into effect, allowing women to be treated as head of the household and to claim social security benefits in a way that only men can at present. In 1982 the Law Commission recommended that the terms of wives' ownership rights in the family home be firmly established in law.

In Northern Ireland there have been strong allegations over the years of substantial variation between the economic status and privileges of the Protestant and Catholic communities. Despite British Government efforts in recent years to ensure equal opportunities, the Protestant part of the Northern Ireland community continues to be more prosperous, to be on the average more highly skilled, and to control most of the economy. In spite of British efforts to attract investment, the unemployment rate in Northern Ireland is substantially higher than that of the United Kingdom as a whole, and this burden falls disproportionately on the Catholic population. The reasons for this are complex and cannot be explained solely on the grounds of religious discrimination. The British Government has made special efforts to subsidize the Northern Ireland economy through public sector spending.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: UNITED KINGDOM

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
OTHER US LOANS..........	168.2	257.1	0.0
EX-IM BANK LOANS.......	168.2	257.1	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	0.0
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	0.0
OTHER-UN	0.0	0.0	0.0	0.0
EEC	0.0	0.0	0.0	0.0

YUGOSLAVIA

Yugoslavia is a multi-national state in which the League of Communists maintains a monopoly on political power.

The country emerged from the collapse of the Ottoman and Hapsburg Empires. During World War II, ethnic and national tensions, aggravated by intervention by the Axis powers, burst into open, fratricidal conflict. Yugoslavs engaged in a fierce civil war on national, ethnic and political lines while simultaneously struggling against their Axis occupiers. Ethnic and national animosities persist, and underlie a number of long-term Yugoslav domestic issues with human rights implications.

In part because of this historical experience, Yugoslav communism differs essentially from the highly centralized, Soviet-style Marxist-Leninism. There is considerable pluralism and decentralization within the party. Forces pressing for political change, particularly greater "pluralization" of the system, are becoming more active both within the party and among the population in general. Discussion over whether the party is to be a "guiding" or "leading" force is one current reflection of this internal debate.

Yugoslavia continues its gradual progress toward a more open and pluralistic society, although Amnesty International reports more political trials than previously. Socialist self-management, as originated under Tito and Kardelj, in large measure allows workers to run their own enterprises. It also allows a small amount of private enterprise. There has been some significant change in the human rights situation in 1982. Almost three years after the death of Tito, the media are more open, public criticism of the leadership and official policies surfaces with more frequency, and there is greater decentralization of political decision-making.

Restrictions on freedom of political expression remain but appear to be somewhat less rigidly enforced. Public criticism of former President Tito remains unacceptable to the authorities, but such criticism occasionally occurs, albeit in guarded fashion. While not a topic of open criticism, even the principles of socialist self-management are now subject to some cautious but critical discussion. The Government, however, does not tolerate public criticism of the "brotherhood and the unity" of Yugoslavia's diverse peoples or of efforts to arouse nationalist feelings among them, and reacts severely to expressions of nationalism.

Unrest in the Kosovo, resurrecting centuries-old Serbian-Albanian ethnic animosities, presents a geographically-limited but significant challenge to the Government. Anmesty International's reporting of an increased number of political trials in 1982 reflects the aftermath of the recent flare-up of the Kosovo issue.

Elsewhere in Yugoslavia, there are fewer political prisoners than previously. Public discussion of instances of police abuses has increased, and the question of the observation of individual human rights seems to be gaining more attention from government officials. In April 1982, for instance, the Federal Chamber of the Yugoslav Parliament ordered the Government to submit proposals and initiatives for eliminating shortcomings in the protection of human rights. In October 1982, the Federal Chamber appointed a five-man committee to oversee the Yugoslav police, particularly with regard to their respect for the constitutional rights of Yugoslav citizens.

The vast majority of Yugoslavs enjoy freedom of movement--including the right to travel abroad freely and to emigrate--and access to the foreign media. There are restrictions on some who are critical of the Government and the party. In the fall of 1982 some temporary measures were put into effect to discourage Yugoslavs from making such frequent shopping trips abroad, in an effort to conserve foreign exchange reserves during a period of national financial difficulty. The Government has stressed that these measures are of an emergency nature, and do not abrogate the right of Yugoslavs to travel.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been reports in the Western European press that the Yugoslav secret police have been responsible during the past few years for a series of murders in Western Europe of members of anti-Yugoslav emigre organizations. Some of the victims were allegedly engaged in terrorist acts against Yugoslav officials and establishments abroad. However, there is no conclusive proof that the Yugoslav Government was responsible.

Within Yugoslavia, a small number of ethnically-inspired killings has occurred in the Kosovo. The press has publicized two murders--one of a young Serb, the other of a Montenegrin--by Kosovar Albanians in mid-1982. These killings took place against the background of historically-rooted powerful ethnic tensions between the Serbs and Albanians in the province.

b. Disappearance

There is no indication of the permanent or prolonged disappearance of persons in Yugoslavia. However, Amnesty International and the international press have reported in the past on alleged instances of kidnapping of Yugoslav emigres by the Yugoslav intelligence services in order to return them to Yugoslavia for trial. Cases do occur in which no public notice is made of an arrest or trial until sentence is pronounced. This has happened in the Kosovo, where some 700 arrests for alleged Albanian nationalist or irredentist activities have occurred since the first disturbances in the province in March 1981.

c. Torture

The Yugoslav Constitution guarantees the "inviolability of the integrity of the human personality" and states that any extortion of a confession or statement shall be forbidden and punishable. Numerous passages in the Yugoslav code of criminal procedure have similar wording.

Amnesty International reports the receipt of allegations that people have been beaten, ill-treated, or threatened during pre-trial detention. There have been reports, for instance, that some of the demonstrators arrested for carrying pro-Solidarity placards at a pro-Palestinian demonstration in June were roughed up by the police. There has been no specific charge of torture in connection with this event. The use of torture is not officially condoned and has become a legal issue in several court cases.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Conditions within Yugoslav prisons generally appear to be strict, but not inhumane. There have been credible reports, however, of particularly harsh conditions in some Yugoslav prisons, including allegations that some prisoners have been held in solitary confinement for extended periods. The Yugoslav press has also reported and editorialized against abuses of authority by the police and against excessive use of force. While medical care is generally available to prisoners, there are persistent reports alleging denial of proper medical treatment to prisoners with special medical problems. Prisoners may receive visits from family members, but sometimes visits are restricted--in pretrial cases--on the grounds that they would prejudice ongoing investigations.

e. Arbitrary Arrest and Imprisonment

Yugoslavs are generally free from arbitrary arrest. Yugoslav legal organizations and procedures derive from French (Napoleonic) law, which does not include such principles as habeas corpus and trial by jury. There is a requirement under the Yugoslav Constitution, however, to bring a defendant before a judge within 24 hours of arrest in order to bring about "judicial awareness" of the reason for detention. The accused has the right to counsel from this time. Normally arraignment quickly follows arrest, and indictment must be brought within three months unless an extension is approved by the court.

Some individuals have been imprisoned for what the Yugoslav Government itself calls "political crimes." Yugoslav law treats as crimes those political acts which seek the overthrow of the constitutional order or attack the country's territorial integrity and basic constitutional values, including brotherhood, unity, and equality of the Yugoslav peoples. However, "political crimes", as defined by the Federal Criminal Code, also include "crimes against the bases of the socialist self-management social system and the security" of Yugoslavia and abuse of public property by members of the party or government officials.

Such broad categories allow for arbitrary actions aginst the critics of the Government. Amnesty International, in its February 1982 Report, made public its 1976 appeal to the Yugoslav Government to delete five articles from the criminal code: "counter-revolutionary attacks" (Article 114), "endangering the independence of the State" (Article 119), "association for hostile activity" (Article 131), and especially "hostile propaganda" (Article 133). While Yugoslav officials have defended these articles on the grounds of the threat to society posed by historic animosities among some of the country's constituent peoples, reform of these and other articles, including the death penalty, has been the subject of public discussion by Yugoslav legal experts during the past year.

According to Yugoslav Government statistics, from 1972 until 1981 there was a decline in the number of persons indicted "for criminal activities with political implications, anti-self-management offenses and abuses of public and private property." In July 1982 the federal public prosecutor reported, however, that the number indicted for those offenses had increased from 555 in calendar year 1980 to 594 in 1981. He attributed the increase to the unrest in the Kosovo, which began in March of that year. According to official statistics, 62 percent of all these 1981 "political crimes" were committed in the Kosovo, and 300 of the 386 persons charged with "counter-revolutionary activity" were from the Kosovo. By nationality, the individuals charged with political crimes included 380 Albanians, 78 Croats, 72 Serbs, 19 Moslems, 17 Slovenes, 11 Montenegrins, 2 Macedonians, and 1 Hungarian. Over 40 percent were listed as intellectuals and students.

The federal prosecutor noted that, over the three-year period 1979-82, 33 percent of the sentences for political crimes were probationary, and 52 percent involved terms up to one year. Another Yugoslav official also reported an increase in the number of serious political crimes in 1981 up to almost half the total number of political crimes, whereas in previous years only "a very small number" had been charged with "the most serious political offenses." The Federal Secretary for Internal Affairs announced at the end of September that, since the outbreak of troubles in the Kosovo in March 1981, the security forces had arrested 700 persons for what was considered anti-Yugoslav, Albanian nationalist- irredentist activity and that 320 had been put on trial. Those accused of "hostile activity" are generally convicted and imprisoned on the grounds that they "fomented national hatred" or sought the establishment of a separate Albanian republic, with the eventual aim of breaking up the Yugoslav state and merging with the Tirana regime. Kosovar Albanians charged and convicted of nationalist activities in 1982 generally received less harsh sentences than in 1981.

The increase in political offenses stemming from nationalist activities in the Kosovo has increased the number of political prisoners. In September 1982, the Government put the number of those detained in connection with disturbances in the Kosovo at 362, and official and unofficial reports suggest that another 400 persons are currently imprisoned in Yugoslavia on political charges, giving a total of approximately 800 political prisoners, as compared with 500-700 in previous years, according to government figures. Prisoners may receive visits from family members, but sometimes visits are restricted on the grounds that they would prejudice ongoing investigations.

In February 1982, Amnesty International stated that it was working for 90 Yugoslav "prisoners of conscience" either as adoption or investigation cases, four more than in 1978. Amnesties, while not routine, have been granted from time to time, usually on the occasion of the Yugoslav National Day, November 29, and a number of prisoners were amnestied on this occasion in 1982.

The Yugoslav Government continues to arrest and imprison persons for political offenses committed abroad, even if the acts in question are not crimes in the country in which they took place. This practice has occurred with less frequency in the last year, however.

f. Denial of Fair Public Trial

Trials are generally open to the public, except in cases involving military or "national security" questions, when the judge has the authority to hold proceedings "in camera". The accused has the right to independent counsel from the time he or she is brought before a judge. However, until an indictment is handed down, consultations between the accused and his attorney must take place in the presence of a court official. Indictment must be brought within three months, except that the investigating judge can request from the presiding judge an extension of three months or even longer if justification is presented.

In cases of crimes relating to national defense and security and to matters concerning service in the Yugoslav military, civilians may be tried in military courts. The court may also, in cases involving classified materials, appoint a military officer as counsel for the defense rather than civilian counsel. The trial record does not necessarily provide a full transcript and all testimony is recorded in the words of the presiding judge. Government controls on the media also affect the degree and nature of publicity accorded the proceedings.

The accused has the right to counsel, and Yugoslav lawyers have often vigorously defended their clients. The Government, however, has not always remained impartial in judicial proceedings, particularly in cases of political interest. Human Rights organizations believe that the outcome in political cases is predetermined before the accused goes to trial. Amnesty International has reported the reluctance of some lawyers to take political cases for fear of reprisal. In ordinary criminal and civil proceedings, however, the courts act according to the law and Constitution, and the defendants' civil rights are generally respected. In June 1982 there was a discussion in the press about the need for judicial autonomy in cases involving artistic freedom where political pressure was allegedly put on the courts. The press and intellectuals strongly criticized the Government on this point, winning the release of a poet charged with slandering former President Tito.

g. Invasion of the Home

The Yugoslav code of criminal procedure contains elaborate provisions for conducting searches, including the requirement for a court order, except under certain limited circumstances. However, the Yugoslav Constitution provides that entry may be made without warrant if this is indispensable for the immediate arrest of the perpetrator of a criminal offense, to protect the safety of life or property, or if it appears obvious that the evidence in criminal proceedings could not be obtained otherwise. There are no indications of widespread violations of these provisions. Many dissidents, however, believe that the authorities eavesdrop on their conversations and read their mail. Others, however, are less certain and believe such practices are being gradually eliminated.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Public expression of political dissent is frequently suppressed and freedom of speech and press are subject to some limitations. In particular, criticism of the League of Communists of Yugoslavia and its leadership, of basic domestic and foreign policies, of the theory of the self-management system, and of the unity of the country's diverse ethnic groups is in theory prohibited. Nevertheless, 1982 saw some instances of public criticism of individual government and party leaders, and of specific government policies, and even a few instances of public criticism of the late President Tito. For example, a highly critical biography of Tito which appeared late in 1981 provoked a storm of protest from politicians and veterans throughout the country but nevertheless remained in the bookshops. Furthermore, the next volume of the biography, by the same author, is to be published by a Belgrade printing house in 1983. Restraints on publications normally are exercised by the publishing house editorial boards, which tend to act fairly independently of the party or Government. A major political figure was the subject of press criticism midway through 1982 for his personal attacks on one of Yugoslavia's major religious faiths.

When the Government does take action against the media, it resorts to warnings, fines, arrest, trial, imprisonment, As of the end of 1982, the Israeli government had not made public a full or partial list of names of the detainees, had not permitted relatives access to the detainees, and, while granting the Red Cross access to most of the prisoners, apparently maintained some of them incommunicado and unaccounted for. Because of the lack of charges, access, or, in some cases, information as to whether or where specific persons are being detained, legal recourse for the detainees was extremely limited; however, various cases were filed in the Israeli judicial system on behalf of some of the prisoners, demanding that the Government set forth the legal basis for holding them. As of the end of 1982, no decisions had been announced in those cases. At year end, the number of prisoners captured in Lebanon and still held by Israel, aside from about 300 Syrian POWs, was probably in the neighborhood of 5,400, with approximately 5,300 held in Ansar prison camp.

In July and August 1982, Amnesty International expressed concern to the Government of Israel over reports of beatings and other ill-treatment of Israeli-held prisoners in Lebanon and Israel and asked that the Government conduct an inquiry into allegations of torture and publish the results of the investigation. The Government denied the accuracy of the reports upon which Amnesty International had based its appeals.

THE OCCUPIED TERRIIORIES

The territories occupied by Israel in 1967 consisted of the West Bank, East Jerusalem, the Gaza Strip, the Golan Heights, and the Sinai Peninsula. Consistent with the Egyptian-Israeli peace treaty, the last part of the Sinai was returned to Egypt on April 25, 1982. Throughout 1982, the West Bank and the Gaza Strip remained under military government, while the Government of Israel regarded East Jerusalem and the Golan Heights as subject to Israeli law, jurisdiction, and administration.

The complex human rights situation in the occupied territories, particularly in the West Bank where the majority of the settled Arab population is located, is largely the result of friction between the occupation authorities and the indigenous Arab population. The strain of more than 15 years of occupation, terrorist actions by Palestinian guerrilla organizations, and Arab fears of creeping annexation have produced an atmosphere of constant tension. Control over Arab institutions (particularly the universities) and broad restrictions on a wide range of political, economic, and social activities, together with the taking of Arab land (approximately 35 percent of the West Bank is now under some form of direct Israeli control) underlie Arab concerns that the long-term goal of the occupation authorities is to envelop and annex the West Bank.

The West Bank and Gaza are under military government. The occupation authorities govern these territories with a combination of pre-existing law and military orders. These laws and orders do not offer the inhabitants all the human rights guarantees available within Israel itself. The UN holds, and the US agrees, that the Fourth Geneva Convention concerning the protection of civilian populations under military occupation applies to Israel's governance of the occupied territories. Israel declares that it voluntarily observes most of the Fourth Convention's provisions, even though it does not accept that these territories are within the purview of the Convention. Major differences in regard to the applicability of those provisions have to do with prohibiting the introduction of civilian settlers and with prohibitions against the use of certain forms of punishment.

Arabs and Jews resident in the occupied territories continue to suffer from terrorist acts, especially bombings. Historically, responsibility for such acts has generally been claimed by Palestinian organizations based outside the occupied territories. In addition, Palestinian Arabs have complained that Israel has neglected its duty as an occupying power to provide adequate protection against vigilante actions by Israeli settlers.

Israel has made a concerted effort to reshape the politics of the occupied territories through the West Bank and Gaza Civil Administrations. The Civil Administrations were created in late 1981 and are under the control of the Ministry of Defense. They are staffed by military as well as civilian personnel. In 1982, they played a dominant role in such practices as the dismissal of elected and appointed officials, the deportation of university faculty, the imposition of house or town arrest and other collective punishments, the banning of newspapers, and the implementation of broad restrictions on speech and assembly. The Civil Administrations also made major efforts to transfer patronage and authority from elected and established Palestinian nationalist leaders whom Israel objects to as being supporters of the Palestine Liberation Organization. As a key part of this effort, the West Bank Civil Administration actively promoted the spread of rural-based, quasi-political organizations known as "Village Leagues." These organizations were provided with arms and financial assistance by occupation authorities. Allegations have been made by local inhabitants that the Village Leagues have been involved in graft and violence against other West Bankers.

From late February to early May 1982, some Israeli actions -- particularly the dismissal of public officials -- helped to spark violent public disturbances in the West Bank and Gaza. These grew more intense after an unrelated shooting incident on the Temple Mount (Al Haram Ash Sharif) in Jerusalem on April 11, 1982. The turbulent period saw total curfews for prolonged periods, hundreds of arrests, and the deaths of approximately a dozen Arabs in clashes with security forces. In isolated incidents during this period, two Israelis were also killed.

The overall conditions of the population of the Gaza Strip did not change materially in 1982. Although many Gazans are underemployed, there is almost no unemployment, because of job opportunities in Israel and elsewhere in the Middle East. The Gazans' basic needs for food, clothing, and shelter are satisfied. However, overcrowded housing conditions, particularly in the refugee camps, remain serious. The authorities have offered resettlement for refugees outside the camps, with the proviso that evacuated camp dwellings be destroyed. Gazans suffer from an absence of social and cultural activities. Although there is a literary journal, no newspapers are published, and the distribution of the East Jerusalem Arabic Press is sporadic. In 1982, citrus growers protested restrictions on exports, claiming losses of up to hundreds of thousands of dollars. During the year, several prominent Gazans were placed under travel restrictions, preventing them from leaving Gaza without first obtaining permission from the authorities.

During the first half of the year, there was an atmosphere of tense confrontation between members of the Druze community on the Golan Heights and Israeli authorities as a result of the extension of Israeli law, jurisdiction, and administration to the Golan Heights. Some Druze were detained in the course of a prolonged protest strike. After mid-year, however, the strike was called off, the detainees were released, and the region was quiet.

In September 1982, President Reagan offered proposals aimed at reinvigorating the effort, pursuant to the 1978 Camp David Accords, to negotiate transitional arrangements for the West Bank and Gaza. Such arrangements are to prefigure negotiations to determine the final status of the West Bank and Gaza.

No major changes in the overall human rights situation are foreseen for the coming year. Absent dramatic progress in the peace process, confrontation between the inhabitants of the territories and the occupation authorities is likely to remain at the same level as in recent years. Israel is likely to continue its efforts to contain and reshape the politics of the West Bank and Gaza through the Civil Administrations, the acquisition of land for settlements, official subsidization of population growth in existing settlements, and financial and political support for the Village Leagues.

1. Respect for the Integrity of the Person, Including Freedom From:

a. Killing

No credible evidence of political murder by Israeli security forces came to light in 1982, and there is no reason to believe that such practices are condoned by the Government of Israel. There were scores of instances of terrorism, some of which resulted in killings. One Israeli civilian and one settler were murdered, and at least three more were wounded in terrorist assaults. Three Arabs were murdered, apparently for association with the Israeli-sponsored Arab Village Leagues, and there were a half-dozen unsuccessful assassination attempts. There were numerous incidents involving explosive devices, and more than a dozen casualties stemming from such incidents. Responsiblity was generally claimed by Palestinian organizations outside the occupied territories. However, three grenade attacks (without injury) on Arab homes near the Israeli settlement of Kiryat Arba over the summer and the placing of booby traps on a Hebron playground (which injured several Arab youths) in the fall of 1982 were alleged by local inhabitants to have been carried out by Israeli settlers.

Over 30 persons (including four Israelis) were killed in the West Bank and Gaza in incidents involving weapons or explosive devices during 1982; there were also a large number of persons wounded, although precise figures are not available. Most of the casualties occurred in the period of March through May. Casualties in confrontations after May were considerably diminished, as devices like tear gas, face shields, and rubber bullets were brought into use by security forces.

Israeli settlers caused the deaths of at least three Arabs. In each case suspects were detained, but they claimed to have shot to stop youths from stoning their vehicles. There is no record of these suspects being brought to trial.

b. Disappearance

There were no known cases of individuals disappearing from the occupied territories in 1982. However, the families of many arrested Arabs complained that their relatives were detained without prompt notification, particularly in the cases of those arrested during demonstrations or on alleged security grounds.

There were claims in the Arab press of over a dozen kidnappings of Arabs, including children, by settlers during 1982, and West Bank Arabs complained that no attempts were made by the authorities to punish those whom the Arabs felt were responsible.

c. Torture

Israeli authorities have stressed repeatedly that torture is forbidden by Israeli law and that violators are punished. There have been allegations by detainees of psychological pressures, physical mistreatment, and instances of brutality by Israeli officials during interrogation of security suspects. The number of such cases has declined over the past two years, and there is no indication that torture is condoned by Israeli authorities. In the only well-documented case in 1982, two Israeli women soldiers accused of beating a British teacher with heavy sticks during questioning were tried and imprisoned.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Israeli forces in the West Bank and Gaza have been observed roughing up individuals in the process of making arrests during periods of unrest. Inhabitants allege that such treatment is intended to discourage involvement in demonstrations. Israeli laws and regulations provide recourse in cases of misbehavior toward civilians, and 40 separate cases were filed against Israeli soldiers in the West Bank between October 1981 and October 1982, in which at least 17 soldiers were convicted. In one such case in November 1982, an Israeli officer and six servicemen were indicted for brutality while dealing with a public disturbance in Hebron in March. During the trial, two of the defendants, including the officer, testified that they had been following orders from the highest echelons of the defense establishment in carrying out the alleged acts of brutality. The trial was still underway at the end of 1982.

In April 1982, the Israeli-based Association for Civil Rights in Israel issued a report which criticized the conduct of the Israel Defense Forces on the Golan Heights. In particular, the report detailed allegations of brutality by the Israel Defense Forces and recourse to collective punishment. In May, six Golan Druze were wounded when police opened fire to disperse demonstrators.

Curfews imposed after security incidents or demonstrations were more frequent and of longer duration in 1982 than in the preceding year. These curfews often caused considerable hardship to the affected inhabitants. On several occasions, males in villages and refugee camps were rounded up and held outdoors for extended periods, sometimes overnight. Similar treatment was administered to students following demonstrations at Hebron, Bir Zeit, and An Najah universities. The towns of El Bireh, Ramallah, Nablus and Halhul were totally closed by military order for at least three weeks in March and April.

Members of the Village Leagues were implicated in a number of instances of mistreatment in the first half of 1982, including an assault on employees of a West Bank university and shooting incidents in which one person died and up to a dozen persons were wounded. There was a marked tapering off of such incidents in the second half of the year.

Overcrowding of prisons housing Palestinian prisoners has been acknowledged by Israeli prison authorities for many years; however, no significant corrective measures were taken during 1982. Complaints concerning medical and dental treatment and sanitation continue to be presented to international organizations and diplomatic missions.

Since 1978, Israel has permitted International Committee of the Red Cross (ICRC) representatives resident in Israel and the occupied territories to visit detainees without witnesses during the period of their interrogation. This may occur after the fourteenth day following their arrest. Such visits are not permitted, however, until completion of the investigation by the Israeli authorities, regardless of when the individual was detained. During the initial visit, the ICRC representative may determine identity, state of health, and conditions of detention. On subsequent visits, allowed every 14 days, complete freedom of discussion is permitted. Israel allows the immediate examination of the detainee by an approved physician and investigates any complaints. In certain cases, Israel can suspend notification and visitation on security grounds.

However, Israel maintains that 97 percent of all detainees are visited within the specified period.

Israel permits ICRC delegates to visit convicted Arab security prisoners in Israel and the occupied territories. Whenever the ICRC considers it necessary, an ICRC physician may conduct medical examinations without witnesses. The ICRC may also submit inquiries about specific cases to the Israeli authorities. During the first half of 1982, ICRC delegates made 1,399 visits to 742 detainees under interrogation on the West Bank and in the Gaza Strip. They visited some 3,000 other prisoners in some 16 places of detention in Israel and the occupied territories. In accordance with ICRC recommendations, since June 1981 the diet for detainees in the occupied territories has been the same as for those in Israel.

e. Arbitrary Arrest and Imprisonment

Administrative detention (the imprisonment of individuals without formal charges or trial) is authorized under Israeli law, as well as under the Jordanian law and British mandatory code which were in force before 1967 in the West Bank and Gaza respectively and which continue in force there. In 1979, Israeli authorities issued the Emergency Powers Law restricting the use of administrative detention within Israel proper. In 1980, the provisions of this law, with minor changes, were extended to the occupied territories. These provisions limit the initial application of administrative detention to a maximum period of three months and provide for more frequent review. During 1982, no West Bank residents were held in administrative detention. Thirteen Golan Heights residents and one Gaza resident were held for periods of up to several months during the year, but ultimately were released.

Under the Fourth Geneva Convention, administrative detention is not permissible beyond one year from the "general close of military operations." Israel maintains that administrative detention is occasionally necessary to prevent terrorist operations when a court proceeding would jeopardize sensitive security information. Administrative detainees have several forms of recourse from detention orders, but the right of appeal is rarely exercised. Appeals are not known to have resulted in the reversal of any decisions of the military authorities.

Habeas corpus provisions do not apply to security detainees subject to military trial. The arrest of sizable numbers of Arabs has been common in the wake of terrorist incidents or when security forces disperse a demonstration. Usually, such arrests do not result in either formal charges or prolonged detention.

As of October 1982, there were 1,584 non-Israeli citizen Arabs in prison for security offenses in Israel or in the territories. None was under administrative detention. Five hundred and ninety-four other suspected security offenders were awaiting trial. (Security offenses, as such, are not defined in Israeli law. They refer to areas of the law dealing with, inter alia, terrorist acts, espionage, and incitement, as well as non-violent public displays of Palestinian nationalism.)

The Government of Israel on December 14, 1981 extended Israeli law, jurisdiction, and administration to the portion of the Golan Heights (southwest Syria) which it has occupied since the 1967 war. The Israeli government subsequently required all residents of the area to obtain Israeli identity cards. When most of them refused, the Government cut the area's telephone communications and sealed off the area from outside access for more than five weeks. Residents without identity cards were for several months unable to leave the area, even for medical treatment. As of the end of 1982, they were still subject to fines if caught outside the area without Israeli identity cards.

Amnesty International, in a special report in October 1982, expressed concern over the extensive use of restriction orders under which, from January 1980 through May 1982, 77 persons were ordered to remain within the confines of their town or village for periods of three months or more, in some cases for more than two years, as a result of extensions of original orders. Such restrictions, which often make it difficult for those affected to practice their profession or to pursue their course of study, involve no formal charges and are ordered by regional military commanders with no requirement for judicial approval.

f. Denial of Fair Public Trial

Jordanian law as modified by Israeli authorities is in force in the West Bank in civil and criminal matters, as is British mandatory law in Gaza. The adjudication of these laws has been left in the hands of an Arab judiciary, which acts independently of the Israeli authorities. Residents of the occupied territories accused of non-security offenses receive public trials in local civilian courts. In the case of Israeli settlements on the West Bank, Israeli courts and law function even in cases involving Arabs.

Alleged security offenders are tried in Israeli military courts with a military judge--trained in law--presiding and are defended by counsel. Most military trials are open to the public. Military regulations require simultaneous translation of trial proceedings into the language of the accused. However, there have been complaints from Arab prisoners that they are unable to follow their proceedings or that they are asked to sign confessions written in Hebrew, a language that most of them do not understand.

There are complaints by Arabs that the practice of adjudicating appeals from military orders under which land is seized for stated security purposes by tribunals composed of military officers does not provide an independent, fair review of the dispute. In 1982, there continued to be numerous cases of land seizures upon designation as state property. In such cases, there were almost invariably complaints by local inhabitants that the 21-day period in which all documents substantiating private ownership must be submitted was too brief to permit adequate defense. This was especially the case since many such documents were available only from sources outside the West Bank and since the authorities had in a number of cases permitted earthmoving work to begin on seized land before the grace period had lapsed. While there have been cases in which court orders have been obtained to prevent house demolitions, in most cases the demolitions take place with so little warning that no judicial remedy exists.

Civilian court verdicts and orders of the Civil Administrations may be appealed to the Israeli Supreme Court. Non-judicial administrative orders of the military government may be appealed to area military commanders and the Supreme Court. No appeal of military court verdicts is possible, although the area commander can and does exercise the right of commutation.

g. Invasion of the Home

Under the occupation regulations, military authorities can and do enter private homes and institutions in pursuit of security objectives without prior judicial approval.

Houses of the families of individuals believed to have been involved in security incidents or located in the vicinity of terrorist incidents have been demolished or sealed and the families displaced. In 1982, nine houses were sealed and another nine demolished -- in some instances with damage to neighboring houses. As a result, families were rendered homeless because a member was suspected of a security offense. For example, security forces demolished two houses and sealed a third in the Ayda refugee camp after charging the sons of the owners with attempting to firebomb an Israeli bus near the settlement town of Gilo near Jerusalem. One house sealed during 1982 was later unsealed by the authorities. There is no judicial process prior to a decision to seal or demolish a dwelling in security cases. Houses were also demolished during the year in various parts of the occupied territories on the grounds that they had been illegally constructed. Palestinians complained that building permits were difficult for them to obtain but were granted freely to Israeli settlers. There is no indication that financial compensation is paid in cases of demolition and sealing as described above.

About 300 houses were demolished in Rafah, along the Egyptian border, following the Israeli withdrawal from the Sinai in April 1982, in order to create a security strip. The tenants were offered compensation and alternate building sites.

Arab villagers have alleged that Israeli settlers uproot saplings, olive trees, and grapevines and take them, as well as topsoil, for their own use without payment. Such allegations have been made in regard to both disputed land and land under undisputed Arab ownership.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of expression is restricted on stated security grounds. Most of the Arabic press in the occupied territories is located in East Jerusalem. It is frequently outspoken in its criticism of Israeli policies, but reports and editorials are regularly censored or excised. Distribution of the East Jerusalem newspaper "Al Fajr" by the Israeli postal system remains suspended since the publication in 1981 of several particularly outspoken anti-Israeli articles. The distribution of each of the Arabic dailies was suspended (in some cases for weeks) during the spring and summer of 1982. Periodic bans were also placed on the Communist weekly "Al Taliyya." Occupation authorities have forbidden several journalists from leaving their home areas in the West Bank, effectively preventing these individuals from working in their offices.

Educational materials, periodicals, and books originating outside Israel are censored for alleged anti-Jewish or anti-Israeli content and for perceived encouragement of Palestinian nationalism. The occupation authorities maintain a list of forbidden publications. During 1982, two lists of additional titles were issued, bringing the total of publications to approximately 1,120. These include, inter alia, extreme anti-Semitic publications, official Arab propaganda publications, publications of the Institute for Palestine Studies, and literary efforts by individuals identified with the Palestinian movement. Possession of such publications, many of which are legal in Israel and East Jerusalem, by a West Bank or Gaza Arab is a criminal offense, frequently resulting in fine or imprisonment; however, according to Israeli press reports, the list of forbidden publications is not made available to the public.

Membership in, contact with, or expressed support for the aims of proscribed organizations (e.g., the Palestine Liberation Organization or its constituent elements) is grounds for arrest. Display or use of the Palestinian flag or its combined colors is illegal. Mayors of towns in the West Bank and Gaza have been specifically enjoined by military government order from making statements supportive of the PLO.

Between 1971 and 1975, under the Israeli occupation, the West Bank's four universities were established from smaller, pre-existing schools. All were closed by the occupation authorities for varying periods in 1982 after student demonstrations. During 1982, Bir Zeit University was closed for a total of five months, An Najah University at Nablus for one and one-half months, and Bethlehem and Hebron Universities for one month each. University and secondary school openings for the fall were delayed twice by the occupation authorities for a total of three weeks. The schools are free to select which courses will be taught, and professors are not harassed by the occupation authorities in the classroom. In 1982, the authorities began to require non-residents wishing to teach at West Bank universities to sign a written declaration as part of their application for a work permit, renouncing, inter alia, the PLO. Most non-resident faculty declined to do so on stated grounds of academic freedom and the expressed wish to avoid being forced to take sides in a local political issue. As a result, 26 faculty members, including two Americans, were compelled to leave the area when the authorities refused to renew their documents. Another 27 faculty members, including 16 Americans, were permitted to remain in the area but were banned from teaching. There was one case in which a West Banker seeking permission to travel abroad to pursue university studies was required to sign an anti-PLO declaration as a condition for obtaining an exit visa.

Following protests related to the extension of Israeli law, jurisdiction, and administration to the Golan Heights in December 1981, and continuing in early 1982, access to that area by outsiders, including journalists, was not permitted.

b. Freedom of Peaceful Assembly and Association

The Israeli occupation authorities have permitted a wide range of labor, professional, and fraternal groups organized before 1967 to continue to function in the occupied territories. No political parties or other groups viewed as political are permitted.

Although membership in the Histadrut, the Israeli national labor organization, is open to Arab workers in East Jerusalem, most have declined such association. No new labor unions have been created in the West Bank since the beginning of occupation, and a number of Arab unions have been disbanded by the occupation authorities for alleged political activities. Strikes are legal as long as they are not undertaken for political reasons; there were no reports of arrests or imprisonment solely for organizing labor activity in 1982. However, security forces regularly conduct searches of union offices and other properties. The occupation authorities must approve all candidates for office in labor union elections.

Professional associations, especially those of doctors, lawyers, pharmacists, and engineers, are active and frequently take public stands on political issues. Public gatherings, however, require the permission of the authorities. Such permission can be and is often withheld from both Arab and Israeli groups on the grounds of public order. Under regulations in force, a group of five or more individuals gathered without permission can be termed an illegal assembly, and security forces normally attempt to disperse any sizable gathering of West Bankers.

c. Freedom of Religion

There is complete freedom of religious practice in the occupied territories. Israel has an exemplary record in protecting Muslim and Christian holy places and has usually assured freedom of access thereto. Some West Bank leaders (and, less frequently, West Bankers in general) have occasionally been prevented on security grounds from entering Jerusalem to attend Friday prayers at Al Aqsa Mosque. Israeli authorities have also on occasion barred Jewish groups seeking access to the Temple Mount (Al Haram Ash Sharif) on both religious and security grounds.

However, at Hebron's Ibrahimi Mosque, which is also the site of the ancient Synagogue of Abraham and the Tombs of the Prophets, the military government has failed to prevent the gradual reduction of the Muslim presence in favor of Jewish worshippers. In addition, Jewish settlers have prevented Muslim worshippers from entering the mosque for Friday prayers, and military guards demand that male visitors observe Jewish customs and don skull caps before entering the mosque.

Arab worshippers and tourists at Al Aqsa Mosque were attacked on April 11, 1982 (Easter Sunday) by an Israeli who was subsequently charged with multiple counts of assault and homicide. The defendant was still on trial at the end of 1982. The attack, which was condemned by the Government of Israel, resulted in the death of two people and sparked off a series of violent demonstrations throughout the West Bank and Gaza.

During 1982, there were a few instances of desecration of Christian churches in Jerusalem, the most serious being the arson in the summer of a well-known Baptist Church. Officials of the Jerusalem Municipality and the Israeli Government were quick to condemn these actions, which the press generally attributed to ultra-nationalist Jewish groups.

d. Freedom of Movement within The Country, Foreign Travel, Emigration, and Repatriation

Freedom of movement is in many respects unrestricted for Arabs within the occupied territories, and almost 70,000 Arabs travel daily to Israel to work. Vehicles owned by inhabitants of the territories have distinctive license plates, however, and are frequently stopped for security checks. Also, Arab inhabitants of the occupied territories are officially required to obtain permits to stay overnight in Israel. West Bank Arabs are normally forbidden to remain in Jerusalem after midnight. At least three deposed mayors and one serving mayor were forbidden to leave their towns during 1982. Numerous other individuals had similar restrictions or personal curfews requiring them to remain at home from dusk to dawn.

For several months in 1982, Israeli security forces restricted to their villages Druze in the occupied Golan Heights who refused to accept Israeli ID cards. In March 1982, the ICRC complained that an ICRC delegate who visited the Golan the same month was not granted freedom of movement or full liberty to select the persons with whom he wished to speak. While Syrians of the Druze religion are permitted by the Israelis to live in the Golan Heights, the Israeli Government has not permitted Syrians of other religions to return to their homes and farms there.

Most inhabitants of the West Bank and Gaza are free to travel abroad and return, and many thousands do so each year. Such travel requires exit visas. There are restrictions on certain categories of residents, however, including limitations on the frequency of border crossings by young men, occasional temporary bans on foreign travel by residents of specific towns or areas following demonstrations or terrorist acts, and bans on specific individuals. The latter include mayors and other leaders, and persons suspected of anti-occupation activities. Several prominent Palestinians have been refused permission to visit the US and elsewhere and denied permission to make the Hajj, the Muslim pilgrimage to Mecca. Students leaving the occupied territories for multi-year studies abroad in some cases have not been permitted to return by the Israeli authorities.

Despite the state of war legally existing between Israel and Jordan, two-way travel between the West Bank and Jordan has been permitted. Inhabitants of the West Bank returning from Jordan, as well as other Arabs or persons of Arab descent, are subject to search for weapons and contraband. There have been complaints that these searches of person and property are unnecessarily rigorous and constitute harassment.

There are no official obstacles to emigration. Net emigration, primarily for economic reasons, approximates 15,000 annually.

e. Freedom to Participate in the Political Process

The West Bank and the Gaza Strip have been under Israeli military occupation and rule since 1967. The status of the Golan Heights was similar until Israeli law, jurisdiction, and administration were extended to the area in 1981. In 1967, the Government of Israel declared East Jerusalem, including adjoining areas of the West Bank, to be under Israeli law, jurisdiction, and administration, and the inhabitants have had the right to participate in Israeli national and municipal elections since then.

There have been two elections of mayors and municipal councilmen in the West Bank since the beginning of Israeli occupation; these were in 1972 and 1976. Israel permitted Arab nationalists outspokenly hostile to Israel to run for office in the 1976 election. Municipal elections scheduled for the spring of 1980 were not held, and there was no indication of when these elections might occur.

After a 1980 attack on Israeli settlers in Hebron, the occupation authorities prohibited elected mayors throughout the

West Bank from engaging in political activities not directly related to municipal administration. Although all the mayors have dealt with the military occupation authorities on routine matters, some refused to deal with the newly created Civil Administration. During 1982, seven elected West Bank mayors were removed from office by year's end, allegedly for violating the 1980 order or for refusal to cooperate with the Civil Administration. The elected municipal councils of two West Bank towns and the appointed mayor of Gaza were also dismissed from office. Three of the affected towns were afterwards governed by Israeli military officers, and one was governed by Arab employees of the Israeli Interior Ministry.

Throughout 1982, there was a continual effort to create a role for the Village Leagues in the political process. There were constant efforts by the West Bank Civil Administration to interpose the Leagues as an intermediary between the inhabitants and the occupation authorities by refusal to accept requests for such services as the registration of births or marriages, building permits, bridge crossing permits, and family reunion applications without the participation of the local league. Village League members often exacted extra fees for their services. Many West Bankers complained that the Leagues' expanding activities undermine the elected Arab political structure.

The status of women in the occupied territories reflects traditional Palestinian values and practices. Matters pertaining to marriage, family, and personal status are governed by Muslim or Christian religious law, as interpreted by religious courts; accordingly, women generally do not have equal status. However, since 1967 the proportion of girls and women in school has steadily increased, so that they now comprise nearly one-half of the school population. Unenfranchised under the law in force before 1967, women were permitted by the military government to vote in the municipal elections held in 1976. Education and enfranchisement are affecting the traditional status of women. Relatively few women in the occupied territories participate in the hired labor force. Many women workers are not counted, since they are employed on farms, at home, or in small family enterprises excluded from statistics. Women who work in Israel or for Israeli firms receive the full protection of Israeli labor law equally with men.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The ICRC regularly inspects prison conditions in the occupied territories and makes recommendations for improvement.

For several years, the UN Human Rights Commission and other UN bodies have adopted resolutions condemning alleged Israeli human rights violations in the occupied territories. The US voted against most of these resolutions, regarding them as one-sided and politically motivated. Although Israel has been generally unresponsive to efforts by UN bodies to conduct investigations in territories under its jurisdiction on the grounds that its experience suggests that the reports of such investigations would reflect political bias rather than the facts, it has cooperated with recent visits by representatives of the World Health Organization, the International Labor Organization, and the UN Educational, Scientific, and Cultural Organization.

Amnesty International's 1982 report, which covered 1981, stated that organization's concern for the "imprisonment of prisoners of conscience, the use of administrative measures to physically restrict individuals or detain them without charge or trial, and the lack of effective safeguards to protect those in custody from ill-treatment." The report noted that in 1981 Amnesty called for the release of 28 prisoners of conscience and investigated the cases of 12 possible prisoners of conscience. A special Amnesty report criticized restriction orders. Freedom House's 1982 report noted that "detentions, house arrest, and brutality have been reported against Arabs opposing Israel's Palestine policy."

4. Economic, Social, and Cultural Situation

Comprehensive statistical information is not readily available for all economic and social indicators with regard to the Arab inhabitants of the occupied territories. It is obvious, however, that living standards have risen steadily throughout the period of Israeli control. Official Israeli statistics indicate that unemployment in the occupied territories is as low as one percent, and real per capita income has risen 11-12 percent annually since 1968. In the West Bank, per capita GNP in 1981 was $1,379, over three times the 1968 figure. Much of this increase in per capita income can be attributed to the large number of Palestinian workers employed in Israel, the remittances of Palestinians working in Arab countries, and an open trade policy between Israel and the occupied territories.

Israel restricts the construction of new factories through a number of regulations. As a result, more individuals than otherwise would be the case -- especially those with higher education -- may migrate to other countries where greater opportunities exist. In addition, Israel has restricted the import of capital from the Arab world, in part through a new regulation requiring military government permits to bring in more than $3,000. These restrictions are in fact unevenly applied, but have hit hardest at the development budgets of municipalities considered by the authorities to be excessively under Palestine Liberation Organization influence. The taking of land for settlements and for military use in the occupied territories has adversely affected the livelihood of considerable numbers of Arab residents. Land utilized by Israel in this way amounts to more than one-third of the West Bank. In many cases, those affected have had to leave farming to become day laborers. There are currently more than 130 non-military settlements in the occupied territories, excluding East Jerusalem, with a total population of about 27,000. At least 20 of these settlements were established in 1982. A further problem results from the use of a part of the West Bank's limited water resources for Israeli settlements. Israeli water control policies in the West Bank ensure that new water resources are reserved for Israeli settlements, thus depriving Arab agriculture and industry.

The military government and the UN Relief and Works Agency meet the basic educational needs of refugee students in the occupied territories. Overall adjusted primary school enrollment rose from about 56 percent of the school-age population in 1967 to about 90 percent in 1981. The number of girls receiving education has markedly increased and stood at 45 percent of the student total as of 1981.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: ISRAEL

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	786.0	764.0	806.0
LOANS...............	261.0	0.0	0.0
GRANTS..............	525.0	764.0	806.0
A.AID	785.0	764.0	806.0
LOANS...............	260.0	0.0	0.0
GRANTS..............	525.0	764.0	806.0
(SEC.SUPP.ASSIST.)...	785.0	764.0	806.0
B.FOOD FOR PEACE.......	1.0	0.0	0.0
LOANS...............	1.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	1.0	0.0	0.0
REPAY. IN $-LOANS.....	1.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	1000.0	1400.0	1400.0
LOANS...............	500.0	900.0	850.0
GRANTS..............	500.0	500.0	550.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	500.0	900.0	850.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	500.0	500.0	550.0
III.TOTAL ECON. & MIL...	1786.0	2164.0	2206.0
LOANS...............	761.0	900.0	850.0
GRANTS..............	1025.0	1264.0	1356.0
OTHER US LOANS..........	305.9	217.4	6.5
EX-IM BANK LOANS.......	305.9	217.4	6.5
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	30.0	340.9
IBRD	0.0	0.0	0.0	283.8
IFC	0.0	0.0	0.0	10.5
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	15.4
OTHER-UN	0.0	0.0	0.0	1.2
EEC	0.0	0.0	30.0	30.0

JORDAN

Jordan is a constitutional monarchy in which the King maintains a monopoly of power. He appoints and dismisses the Government and is the primary focus of foreign policy. The Prime Minister and the cabinet exercise considerable responsibility in the formulation of domestic and economic policy. The parliament was dissolved in 1976, but an appointed Senate and National Consultative Council have limited powers to debate laws placed before them and make recommendations to the cabinet.

A participant in the Arab-Israeli wars of 1948 and 1967, Jordan gave shelter to large numbers of Palestinian refugees in each of those years. Tensions between the refugees and native Trans-Jordanians boiled over in the disturbances of 1970. Since these violent incidents, Jordan has remained under martial law, which it justifies by pointing out the political instability of its neighboring countries and the generally tense situation in the region. The Government resorts to authoritarian measures sparingly, however.

Disfavored by geography, a small population, unfavorable climate, and lack of arable land and natural resources, Jordan is a poor country. During the past 20 years, however, Jordan has made substantial economic progress while preserving domestic stability in a politically volatile region.

While adversely affected by the 1973 and subsequent oil price increases, Jordan has benefited from the general increase in wealth in the region. When security conditions in Beirut deteriorated in 1975, Amman, with its agreeable climate, relatively good communications, transportation connections, stable government, and free market economic policies, began to play an increasingly important role as one of several Middle East regional economic and commercial centers. Spurred by the influx of repatriated earnings of Jordanians working abroad and payments from Arab states following the November 1978 Baghdad summit, the Amman area in particular experienced an economic boom. The foundations of this prosperity, however, are fragile, and economic growth slowed somewhat during 1982. Nevertheless, barring the unforeseen, economic conditions for 1983 should remain reasonably good. Jordan's economy continued to experience real growth during 1982.

The Government of Jordan is committed to free enterprise, although it holds important shares in a number of basic industries and exercises controls on some goods in the market place, especially foodstuffs. Economic stability and development have been enhanced by the fact that Palestinian refugees have been given Jordanian citizenship and participate fully in Jordan's economic and social life and the limited political life which is permitted in Jordan. Despite occasional tensions between Palestinian-Jordanians and the East Bank Trans-Jordanians, relations between the two communities are generally good. Jordanians, who are primarily Sunni Muslims, respect Islamic civil, legal, and social institutions. The small but important Christian minority is not discriminated against except at the very top of the armed forces, and on the whole enjoys equal status and economic well-being. The King plays an important role in assuring religious harmony in Jordan.

While qualified by the martial law currently in force in Jordan, the Constitution affirms the integrity of the person in

Jordan. There are no reports of killings for political motives, disappearances, torture, or cruel, inhuman or degrading treatment or punishment. Invasion of the home is prohibited except by court-issued warrant. Under martial law, persons may be detained without trial or charge for indefinite periods; however, limited use is made of this power. The civil and military courts provide for public trial and appeal. Martial law courts provide the same guarantees as do the civil courts, but in practice do not grant bail. Subject to limitations by the monarchy, citizens have civil and political rights under the Constitution. Political parties, however, have been banned since 1957 and the parliament was dissolved in 1976. Elections are freely held for most municipal and local councils and mayors. Freedom of the press and speech are guaranteed by the Constitution, subject to some self-censorship and government influence. Freedom of religion, movement, and assembly are also constitutionally guaranteed.

There have been no significant changes in human rights in Jordan in the past year. The most significant long term trend is that signified by the absence of democratic participation in the political process at the national level since the dissolution of the elected parliament in 1976.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

No politically-motivated killings have been recorded in 1982. There have been a very few attempted or actual killings in the past few years for political purposes. The perpetrators in the few identified cases may have been acting under the orders or influence of a foreign government. The Jordanian Government actively tries to prevent such acts.

b. Disappearance

There were no disappearances reported in Jordan in 1982. The Jordanian security forces do not secretly abduct people; however, they are empowered to detain people without trial. In such cases, family members can obtain information on the whereabouts of their relatives. There is no evidence to indicate that persons so detained have died as a result of torture, cruelty, negligence, or summary execution.

c. Torture

No constitutional provision or law specifically forbids torture. Law 23 of 1953, which regulates the treatment of prisoners, guarantees that they receive medical treatment and provides for inspection of prisons in order to ensure that healthful conditions prevail in them. No accusations of torture are known to have been made in 1982. There is no evidence that Jordanian Governmental authorities condone or practice torture.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Jordanian law provides for the decent treatment of prisoners. Within the constraints of a limited budget, prisons are Spartan but adequate in the context of Jordanian society. Prison conditions are not designed to be intentionally degrading. A new, highly modern complex is currently being built to replace the old, inadequate, and cramped Mahatta prison in Amman. There appears to be no discrimination according to religion or social class in the treatment of prisoners.

Jordan has recently taken steps to improve the treatment of juvenile offenders, establishing a new juvenile detention center. Juveniles have been moved to the new center from the Mahatta rehabilitation and correction center, where they had been housed with adults, because of lack of space in then-existing juvenile detention centers. Subject to fiscal constraints, Jordan is planning to institute a system of special juvenile courts.

Summary executions do not occur in Jordan. Jordanian law provides for trial in absentia of Arabs who sell West Bank property to the "enemy" (defined as an Israeli citizen, resident of Israel, or Israeli corporation). The maximum penalty for this crime is death. Although such trials have occurred, and the death penalty has been pronounced, it has never been carried out.

e. Arbitrary Arrest and Imprisonment

Legally, Jordan has been in a state of war since 1948. Martial law, most recently reaffirmed in 1973, has been in force for much of that period. Under martial law, the executive authority has the power to detain persons indefinitely without trial. Jordanian security forces use the detention provisions of martial law to detain individuals suspected of cross-border infiltration or security threats. A detained person may take his case to the High Court of Justice (an administrative tribunal) to argue that his detention on security grounds is not justified. Jordanian martial law does not provide for habeas corpus.

In recent years the Government has made limited use of its detention powers. While exact statistics are unavailable, it appears that several dozen people were detained in 1982 for periods ranging from a few days to several months.

f. Denial of Fair Public Trial

Both civilian and military courts operate under normal Jordanian law. In addition, martial law courts are established under the provisions of martial law. The jurisdiction of the systems is clearly defined in law, with the martial law court responsible for crimes such as espionage, bribery of public officials, trafficking in narcotics or weapons, black marketeering, and security offenses. The civil courts retain jurisdiction for most other crimes. Military courts prosecute military personnel for all categories of offenses.

Although the martial law court is not bound to observe normal rules of evidence or procedure, such generally accepted legal practices have been observed during the last five years. Accordingly, defendents before this court are represented by legal counsel and may cross-examine witnesses. The three judges currently sitting on the martial law court all have legal education, as does the military prosecutor. Sentences of the martial law court may not be appealed, but they must be ratified by the Prime Minister in his capacity as Martial Law Governor. The Prime Minister has the authority to increase, reduce, or annul any martial law sentence. In practice, cases are reviewed for fairness by his legal advisor and/or the Minister of Justice before the Prime Minister makes a decision. In practice, individuals charged in martial law courts are not granted bail. Martial law trials in general are handled more expeditiously than civilian trials.

Under the civilian court system, cases must be reviewed by the Public Prosecutor's office within 24 hours of an arrest. The prosecutor must determine that sufficient evidence exists to warrant prosecuting the accused. The prosecutor then turns the case over to the Attorney General's office, which prepares a formal bill of indictment if satisfied that enough evidence exists to warrant prosecution.

At all stages in this process, the accused is entitled to be represented by legal counsel. Many defendents are unaware of this right and fail to exercise it. The Jordanian legal system provides that if the accused cannot obtain legal counsel for himself, the state, through the bar association, will assign a lawyer to defend him. An established appeals process exists for felony cases.

Jordan upholds the principle that judges should be independent and insulated from political pressures. Judges are selected by a board composed of members of the High Court of Justice, a representative of the Attorney General's office, and the Under Secretary of Justice (the senior civil servant in the Ministry) and must prove competance in the law through a written examination. Judges may only be removed from office on grounds of specific transgression of the law and after a hearing before a disciplinary board (made up of a membership similar to that of the selection panel).

In addition to martial and civil law, Muslim traditional religious law (Sharia) plays an important role in Jordanian life and society. Rights of inheritance and child custody, conduct between neighbors, and women's personal status are largely adjudicated according to the Sharia law. In accordance with Muslim tradition, polygamy is permitted, though not widely practiced. A man may divorce by unilateral repudiation. A specified inheritance system exists under the Sharia and is applied in Jordan.

A separate Sharia court system exists to resolve disputes between Muslim parties in cases dealing with subjects such as divorce, alimony, and inheritances. Christian religious courts handle similar cases between Christians. Cases between individuals of differing religions are handled by the civilian court system.

g. Invasion of the Home

Arbitrary entry of private homes by Jordanian authorities is against the law and no reported cases have occurred. Search and arrest require warrants except in cases of hot pursuit.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The 1952 Constitution guarantees freedom of speech and press within certain limits defined by law. In fact, Jordanians express their opinions freely in private and, to a much more limited extent, in print. The radio and television systems in Jordan are state-controlled. Private newspapers and periodicals (which are all subject to Government influence) practice a form of self-censorship on important national issues. Low-key media criticism of the Government's domestic policies occurs occasionally. The press generally reflects the Government's position on major foreign policy and security issues. Newspapers have been closed down for varying periods in the past for printing articles of which the Government strongly disapproved and journalists have been warned about comments which may be considered critical of some groups or interests. One new economic magazine was closed in 1982 for reporting political topics in violation of its license. Foreign newspapers and magazines are widely available, although subject to infrequent censorship. Salacious and pornographic materials are banned.

b. Freedom of Peaceful Assembly and Association

Jordanians are free to associate as they choose, except in political organizations. Persons who demonstrate without first obtaining a permit are liable to be dispersed by the police; such permits are only rarely granted. Formally organized associations are subject to the laws of their establishment. Political parties are not permitted; charters of other organizations may not include political objectives.

Jordanians may freely join labor unions and professional organizations. Such associations require government license, but these are granted routinely for groups which are not overtly political. These unions and associations are permitted to defend the interests of their members, and their officers are freely elected by the membership. Strikes are legal in Jordan; however, the Ministry of Labor must be notified in advance (14 days for small firms, 28 days for large firms). During this period, the Ministry attempts to arbitrate. If these efforts fail, employees may strike.

c. Freedom of Religion

Islam, the state religion, is followed by the great majority of Jordanians. The Constitution guarantees freedom of worship, and persecution or harassment of the Christian minority (about five percent of the population) is against Jordanian law as well as government policy and practice. The only actual restraint on the Christian religion is a prohibition against proselytizing among Muslims. There appears to be little difference between adherents of the religions in social or economic status. Nevertheless, some tensions do exist between the Islamic and Christian communities. Christians are represented in the Government and military roughly in proportion to their share of the population, although traditionally the most senior positions are reserved for Muslims.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Travel within the country (with the exception of certain defined and limited military zones) is unobstructed. With a few exceptions, the Government does not restrict travel abroad by its nationals.

Women and minor children are required to have written consent of their husband, father, or oldest male relative in order to obtain a passport. Such persons travelling alone generally are presumed by the authorities to have written permission to travel.

Jordan has faced a long-term refugee problem, especially since the 1948 and 1967 influxes of Palestinians made homeless as a result of the Arab-Israeli wars. Jordan has committed substantial resources to help resettle these refugees and ameliorate their plight. According to the most recent United Nations Relief and Works Agency statistics, refugees and their descendants on the East Bank of the Jordan River now total approximately 930,000. This total does not include a large but undetermined number of other persons from the West Bank, the Gaza Strip, or the State of Israel, who have settled in Jordan since 1948. All of these people have been granted Jordanian citizenship and have the unrestricted right to live, work, and own property in Jordan.

There are no restrictions on these or any other citizens who might wish to return to Jordan after a period spent residing abroad. Jordanians who have travelled or studied abroad, especially in Eastern European or communist countries, often have their passports taken by the General Intelligence Directorate upon their return to Jordan. They may regain their passports after answering questions about their activities and contacts abroad.

Jordan allows the movement of peoples between the East Bank and Israeli-occupied territories. In doing so, the Government has reminded its critics that such travel is humanitarian, helps maintain West Bank Arab ties, and is economically advantageous to the inhabitants of the occupied territories.

Jordan recognizes the right of asylum even in cases which have resulted in strained relations with neighboring states.

e. Freedom to Participate in the Political Process

Jordan is a monarchy in which the King enjoys a monopoly of ultimate political power. Governments are formed and dissolved at his command and he remains the ultimate arbiter of policy. Organized political parties are not permitted in Jordan. The Communist Party is prohibited by law. According to the 1952 Constitution, there should be an appointed Senate and a Chamber of Deputies elected by universal suffrage by secret ballot. The Chamber of Deputies was dissolved in 1976. Parliamentary elections have been postponed indefinitely, for the Government believes that both East and West Bank must be represented in any future parliament and it is presently impossible to conduct Jordanian elections in the occupied West Bank.

In 1978, King Hussein established a National Consultative Council with appointed members selected to represent the various geographic regions and social, ethnic, religious, and tribal groups in the country. Legislation is submitted by the Executive to the Council for review; it does not have veto power, but often discusses policies actively and sometimes heatedly. Thus, it has provided a forum for dialogue between the Government and the public. The Government generally has not promulgated legislation with which the Council disagreement; for example, the Council has had substantive input into the recently approved five-year plan and the new income tax law.

The councils of most cities and towns in Jordan are elected by popular vote. King Hussein has taken steps to increase the participation of women in the political process, appointing the first female Cabinet Minister in Jordan's history in 1979. Four of the 75 members of the National Consultative Council are women.

A certificate of good conduct is required for government employment and for work or study abroad. It may be requested by an employer. The certificate is provided or refused by the General Intelligence Directorate based on review of their files and, at times, following an interview with the individual concerned.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Jordan has attracted little attention from private and international human rights organizations. Amnesty International has made inquiries about specific cases from time to time, focusing on detention without trial and on the death penalty. The Jordanian Lawyers' Professional Association has formed a Human Rights Committee, but it is not active. The International Committee of the Red Cross maintains an office in Amman. The representative visits all prisons and detention facilities on a regular basis. He is allowed confidential access to all prisoners and detainees. The Government is responsive to his recommendations.

The Government has played an active role in the UN Human Rights Commission at Geneva. Jordan is a party to the Covenant on Political and Civil Rights and the Covenant on Economic and Social Rights.

4. Economic, Social, and Cultural Situation

From 1976 through 1980, Jordan's economy grew at an average annual real rate of close to nine percent. During 1981, economic growth slowed slightly, averaging about seven percent, a still healthy and noteworthy rate given the world-wide economic slowdown in that year. Per capita GNP in 1981 rose to approximately $1,875. Some 17 percent of the population is considered to receive income below the absolute poverty level.

Services, including government, continue to contribute nearly 2/3 of national output, followed by the industrial and construction sectors (30 percent) and agriculture (six percent). Jordan remains heavily dependent upon external aid with 51 percent of its 1982 budgetary resources coming from external resources. Inflation in 1981 was around 12 percent, only slightly higher than the 1980 level.

Jordan's domestic work force of nearly 450,000 is close to full employment. Significant numbers of foreign workers, estimated at some 120,000, have entered the country in recent years. Such unemployment as exists is structural, with the highest incidence in the skilled, management, and professional categories. While more than 300,000 Jordanians continue to work abroad, principally in Saudi Arabia and the Gulf, these states have reduced the number of Jordanian passport holders admitted to work in the past several years, and current outflow is estimated at 5,000 - 6,000 workers annually. Women are 14 percent of the labor force and are expected soon to be 20 percent. Increasing female employment and possible reduction of Jordanians working abroad could raise unemployment in the coming years.

Remittances from Jordanian workers abroad exceeded one billion dollars in 1981. Since 1979, Jordan has received large annual transfer payments from the oil-rich Arab states. In 1981, these payments totalled $1.2 billion. Foreign aid coupled with the high level of worker remittances enabled Jordan to cover its $2.4 billion balance of trade deficit in 1981 and still post an overall balance of payments surplus of $50 million. Under its 1981-1985 five-year economic and social development plan, the Government of Jordan plans to commit $10 billion to economic and social development projects. The plan emphasizes development of industry and mining, particularly the development of Jordan's phosphate and fertilizer industries, the extraction of potash for export from the Dead Sea waters, and the doubling of cement output by 1985.

Jordan's current population, based on the preliminary result of the 1979 national census and a growth rate of 3.8 percent per year, is now approximately 2,362,700. Of this, about 60 percent live in corporate city limits, but some 20 percent more live in suburban and semi-urban areas, thus making Jordan a highly urbanized society. The national rate of population increase is at least 3.6 percent, with an additional .2 percent increase from net immigration. The population below the age of 15 is 51.8 percent, resulting in a high dependency ratio. Life expectancy at birth is currently 59.8 years for males and 63.6 years for females. Infant mortality is estimated to be 70 per 1,000 live births.

Health facilities in Jordan are widely distributed, but with a wide disparity in the quality of services, which range from the most modern facilities in the cities to rural village clinics which infrequently have a doctor in attendance. At present, there is one doctor for each 961 Jordanians. By 1986 there is expected to be one doctor for each 568 residents. In 1981, there were 16.7 hospital beds for each 10,000 inhabitants, but a planned increase will raise this to 25.8 per 10,000 by 1986.

Although education is compulsory through the ninth grade, primary school (1-6) enrollment rates drop from 97 percent to about 82 percent in preparatory (7-9) and only 58 percent in secondary (10-12) schools. Adult literacy has increased dramatically over the past 20 years. At present, some 65.4 percent of all those above the age of 15 are literate, with males at 71.1 percent and females at over 55 percent. For ages 15-19, however, illiteracy is only 7.6 percent, with 2.4 percent of males and 13.3 percent of females.

Some 66 percent of all Jordanians have piped-in water supplies; this percentage will increase dramatically in the next five years as water projects now under way are completed. Only 35.7 percent of rural families have piped-in water, however, and provisions of piped water to most of the remaining rural families, representing 10-15 percent of all Jordanians, is prohibitively expensive. While chlorination and treatment of some water is carried out in Jordan, water is not always safe and incidents of contamination are common.

Jordanian citizens are accorded equal treatment in social services like health, education, and some subsidized foodstuffs. Despite limited natural resources and a rapidly growing population, the standard of living in Jordan has risen during the past decade. While most citizens have benefitted in some ways from this growth, gains have been unevenly distributed. The Government recognizes this problem and is attempting to deal with it by such measures as improving income tax collection and imposing heavy taxes on luxury imports.

Jordan's essentially free enterprise economy has created many opportunities for its people, regardless of religious, ethnic, or tribal background. There is no evidence of government-encouraged discrimination. Women in Jordan, as in other Arab states, are traditionally disfavored economically and, to a lesser extent, educationally. The status of women is a result of traditional Islamic social values which fix women in the role of housewife and mother. This pattern is changing. The Government encourages more female participation in the labor force. It is noteworthy that the present Minister of Social Affairs is a woman.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: JORDAN	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	72.7	10.5	15.4
LOANS..............	31.0	0.0	10.0
GRANTS.............	41.7	10.5	5.4
A.AID	69.0	10.0	15.0
LOANS..............	30.0	0.0	10.0
GRANTS.............	39.0	10.0	5.0
(SEC.SUPP.ASSIST.)...	69.0	10.0	15.0
B.FOOD FOR PEACE.......	3.7	0.5	0.4
LOANS..............	1.0	0.0	0.0
GRANTS.............	2.7	0.5	0.4
TITLE I-TOTAL..........	1.0	0.0	0.0
REPAY. IN $-LOANS.....	1.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	2.7	0.5	0.4
E.RELIEF.EC.DEV & WFP.	0.5	0.0	0.0
VOL.RELIEF AGENCY.....	2.2	0.5	0.4
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	79.3	44.3	56.9
LOANS..............	50.0	42.1	54.9
GRANTS.............	29.3	2.2	2.0
A.MAP GRANTS..........	28.3	1.4	0.0
B.CREDIT SALES-FMS....	50.0	42.1	54.9
C.INTL MIL.ED.TRNG....	1.0	0.8	2.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	152.0	54.8	72.3
LOANS..............	81.0	42.1	64.9
GRANTS.............	71.0	12.7	7.4
OTHER US LOANS..........	276.3	0.0	0.0
EX-IM BANK LOANS.......	276.3	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	63.6	33.1	73.8	429.7
IBRD	50.0	25.0	60.0	185.0
IFC	0.0	2.5	10.3	95.3
IDA	0.0	0.0	0.0	86.1
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	2.2	1.6	0.0	37.9
OTHER-UN	0.4	0.0	0.5	7.4
EEC	11.0	4.0	3.0	18.0

KUWAIT

Kuwait is a hereditary amirate in which leadership is held by the ruling Al Sabah dynasty. Traditionally, Kuwait's amirs, or rulers, have governed in consultation with other community leaders, but still hold the bulk of power in their own hands. Kuwait's popularly elected National Assembly now institutionalizes that traditional consultation. The Assembly wields some influence on government policy and programs through its powers to review budgets, approve government-proposed legislation, and to interrogate ministers.

Political parties are banned and women are denied the vote, but there are no political prisoners in Kuwait and no recorded instances of political killings, disappearances, or torture sanctioned by the regime.

The National Assembly's election in February 1981, after being extra-constitutionally suspended from 1976 to 1981, and its re-emergence as a forum for popular opinion sometimes critical of government policy, mark an improvement in political participation in Kuwait. However, the Assembly itself has on occasion taken a less enlightened view of human rights than has the Government, for example, by rejecting women's suffrage and by barring naturalization to non-Muslims.

Kuwait has experienced rapid change in a single generation. Once poor, isolated, and underdeveloped, Kuwait has become a highly urbanized regional center for finance, commerce, and the media, and a regional pioneer in some aspects of modernization. Kuwait's oil wealth has been distributed to its citizens through education, medical care, housing, and assured jobs. Employment opportunities have also brought an influx of foreign workers, some long-term (largely Palestinians), and others temporary (mostly non-Arab Asians). Some of these expatriates have imported their own regional political tensions and rivalries. Non-Kuwaitis, nearly 60 percent of the population, enjoy fewer civil and political rights and social benefits than do citizens.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There were no reports during 1982 of persons being killed in Kuwait for political motives. There were, however, three attacks on Kuwaiti diplomats abroad, resulting in the deaths of two of them. In addition, the Charge d'Affaires of the United Arab Emirates Embassy in Kuwait was shot and wounded. Some of these attacks have been linked to Abu Nidal's Black June, a Palestinian terrorist organization, but exact motives are unclear.

b. Disappearance

People are not abducted, secretly arrested, or held in clandestine detention in Kuwait by the authorities or with their cognizance. Reports have surfaced in past years of a few persons being abducted from Kuwait and forcibly repatriated by foreign agents to their country of origin for political reasons; no such disappearances have been reported in 1982.

c. Torture

Torture is prohibited by the Kuwaiti Constitution. There have been no reports that the Government of Kuwait engages in or encourages torture. "Third degree" methods are employed by the police on occasion, particularly with non-Kuwaiti suspects, to extract confessions to crimes.

d. Cruel, Inhuman, or Degrading Treatment

Summary executions and harsh Koranic punishments are not practiced in Kuwait. Corporal punishment is no longer authorized practice in prisons.

Kuwait's prisons appear well-run along modern lines. Prison conditions are relatively humane and do not inflict intentionally degrading treatment. Prisoners receive necessary medical care. They are permitted to supplement prison fare with food purchased from outside the prison. There are limited educational and recreational programs for prisoners. Family visits and access by attorneys are permitted. Youthful offenders, few of whom are imprisoned, are customarily separated from hardened criminals. There is no policy of differential treatment on the basis of social class, race, or religion.

e. Arbitrary Arrest and Imprisonment

Arbitrary arrest and imprisonment are prohibited by the Constitution. With occasional exceptions, such practices are not sanctioned by the Kuwaiti Government. Road blocks and spot checks of outdoor gatherings of expatriates, especially of South Asians, are used sporadically by the police searching for illegal immigrants and contraband liquor. Persons without proper identification may be detained by the police. The authorities have considerable leeway in detaining individuals whom they suspect constitute security threats. However, no political prisoners are known to be in custody in Kuwait.

Legally, police may hold a person for investigation without charge for no more than four days, of which a prosecutor's approval is required for detention periods over 24 hours. Thereafter, the suspect either must be released or charged by a prosecutor, who may authorize detention for up to an additional 21 days. Further detention may be authorized by a judge pending trial. These procedures are followed in practice. The lack of a specific charge against an expatriate considered a troublemaker does not hinder the authorities from summarily expelling him.

f. Denial of Fair Public Trial

Kuwait's legal system is independent and provides for public trial, the right of appeal, and representation by an attorney of one's choice. Procedural rights are, however, not always strictly observed. Failure of the police to protect a suspect's rights may provide a defense in the courts. Charges are supposed to be stated formally when a suspect is brought before a prosecutor, not more than four days after arrest. However, non-Arabic speaking defendants in particular have occasionally protested that they were inadequately informed regarding the charges or their rights. Trials in absentia have occurred. In such cases, however, the defendant is allowed an additional right of appeal. There are no reports of secret or unfair trials or of discrimination against defense counsel. However, the court-appointed attorney of a defendant unable or unwilling to engage his own lawyer is not always given adequate time to prepare a defense. Interpretation of court proceedings to ensure their understanding by non-Arabic speaking defendants is sometimes inadequate. The Kuwaiti judiciary is independent of the executive and the military. There are no special political or security courts. According to the Constitution, military courts have jurisdiction only over offenses committed by members of the armed or security forces, except during periods of martial law. There has never been a state of martial law in Kuwait.

The amir has the power to pardon or to commute sentences passed by either civilian or military courts.

g. Invasion of the Home

The sanctity of the home is provided for in the Kuwaiti Constitution and respected in practice. Warrants are required for searches, unless the police are in actual pursuit of a suspect fleeing the scene of a crime or where an outside odor indicates the presence of a distillery or illegal narcotics. Search warrants to enter residences or business premises are issued by a public prosecutor.

2. Respect for Civil and Political Liberties, Including:

a. Freedom of Speech and Press

Kuwaiti citizens and expatriate residents possess a significant degree of freedom to speak, write, read, and hear what they wish. The Kuwaiti Constitution guarantees freedom of opinion and scientific research, and there are similar guarantees for many basic civil and political rights. These guarantees are, however, stated conditionally, modified by such phrases as "in accordance with conditions and manner specified by law." The average Kuwaiti or Kuwait resident feels free to offer his opinion on almost any subject and does not fear official retaliation, although there are some understood boundaries (such as written or public attacks upon the amir, the ruling family, or Islam) beyond which he may not stray. Kuwait does have an active censorship department, which reviews all books, films, videotapes, periodicals, and other material entering Kuwait in bulk or for commercial purposes. Items arriving by post for individual or institutional use are usually not opened before delivery, unless the contents are suspected of being pornographic material. Printed and visual material produced within Kuwait is not subject to pre-censorship, but is liable to government action after publication or release. Radio and television are government-controlled.

The Kuwaiti press is not pre-censored and is given wide latitude in its content. Articles and editorials critical of government action or of individuals appear often. Partly for this reason, Kuwaiti publications are widely read in the region. A press law, promulgated in 1961 and still in effect (with some amendments), sets down several categories which are restricted. These include criticism of the amir and the ruling family; official confidential communications or treaties and agreements with other states; material which might disturb relations with Arab and friendly states or which might prove embarrassing to their heads of state; and a general category of stories which "might incite people to commit crimes, create hatred, or spread dissension among the people." Although the list is somewhat loosely structured, it is, in fact, interpreted selectively and violators are most often let off with warnings. Editors and publishers are liable to imprisonment and fines for violations, but to date there have been no known imprisonments. More often, a newspaper or periodical is closed for a period of time ranging from a few days to a month. During the past year (since November 1, 1981) action under the press law has been taken three times -- in each case against the Arabic weekly magazine "al-Mujtama," which was closed down for periods of one week, two weeks, and one month, for articles critical of the Syrian regime.

The Kuwaiti National Assembly is currently considering a new government-proposed press law which will detail more explicitly the restricted areas, as well as spell out harsher punishments. A 1976 amendment to the existing press law which allowed the Council of Ministers to suspend any publication for up to two years without recourse to the courts was repealed by the National Assembly in May 1982.

b. Freedom of Peaceful Assembly and Association

Kuwait's Constitution theoretically protects private assembly, public meetings, processions, and gatherings which are peaceful and not contrary to public morals. However, any group of more than three people desiring to meet for public discussion (or to meet privately but issue a public statement) must receive explicit, prior permission from the Ministry of Interior. The authorities may prevent such an assembly merely by ignoring the request. Such permission is not, however, required for "diwaniyyas," traditional gatherings presided over by community leaders or family elders, which anyone can attend and there speak freely. Although an unauthorized pro-Palestinian protest at Kuwait University was forcibly suppressed by the police in March 1982, other demonstrations, including one march and rally in August involving perhaps 50,000 people, have been permitted to protest the Israeli invasion of Lebanon.

Kuwait permits the establishment of trade unions. The petroleum and banking industries and government employees are unionized. Most union members are civil servants. Kuwaiti citizens and expatriates residing in Kuwait for five years are permitted to join unions, although only Kuwaitis may vote in union elections or hold union offices. The right to strike is officially recognized, but seldom exercised. Refinery workers of the state-owned oil company struck in April 1981, but returned to work after some union demands were met. There is no apparent harassment of professional groups, bar associations, scientific bodies, or labor unions.

c. Freedom of Religion

While the Constitution declares that "freedom of belief is absolute," it states further that its practice is not to "conflict with public policy or morals." Kuwait's state religion is Islam and the Sharia (Islamic law) is, by the Constitution, "a main source of legislation." The ruling family and most prominent Kuwaiti families are Sunni Muslims. There is no official policy of discrimination against Shi'ite Muslims, who constitute about one-third of Kuwait's citizenry, but they and members of Kuwait's very tiny Arab Christian minority are seldom appointed to sensitive government positions. There are a number of expatriate Christian congregations in Kuwait and several churches exist. Practitioners of Eastern religions, e.g., Hindus, Sikhs, and Buddhists -- all of whom are expatriates -- are not allowed to establish places of worship in Kuwait. Proselytizing of Muslims by non-Muslims is prohibited. Restrictions that do exist in housing or employment have less to do with religion than with the fact that virtually all non-Muslims are expatriates who share few of the many privileges open only to Kuwaiti citizens.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Kuwait citizens generally are free to travel inside and outside the country, to emigrate, and to return. There is some restriction of foreign travel for young men who have not completed their compulsory military service or been exempted. Those serving in the military must receive permission from the Ministry of Defense before traveling abroad. While there are no different legal standards regarding the internal or foreign travel or emigration of Kuwaiti women, in practice husbands can prevent their wives and children from leaving the country.

There are occasional instances in which citizens' passports are suspended temporarily, both for criminal offenses and for outspoken criticism of the regime. In October 1982, eight Kuwaitis, including one National Assembly member, were barred from traveling abroad because of their allegedly criminal stock market activities. Since 1977 representatives of societies, associations, and trade unions wishing to travel to and participate in international meetings have had to receive prior permission from the authorities.

While the Constitution says "no Kuwaiti may be deported from Kuwait or prevented from returning thereto," individuals have in the past been stripped of Kuwaiti nationality and deported. No such incident occurred during 1982. However, under Kuwaiti law, any Kuwaiti accepting a foreign nationality automatically loses his own.

All non-Kuwaitis living in Kuwait must have the sponsorship of a Kuwaiti citizen. Effectively, this means that non-Kuwaitis' freedom to leave and re-enter the country is circumscribed. Kuwait does not extend permanent residence to its expatriate population. Thus, employers have the power to restrict job mobility and the continued residence of their expatriate employees. Those employed by government agencies are given residence visas which require an exit permit or "no objection" letter in order to leave the country. Non-Kuwaitis convicted of a crime are routinely deported after serving their sentences.

e. Freedom to Participate in the Political Process

The Al Sabah, a family of bedouin origin, have provided the rulers of Kuwait for over two hundred years. Oral tradition is that there has always been a consensus among Kuwaitis that the Al Sabah should rule. This tradition was affirmed by the 1962 Constitution which established Kuwait as a hereditary amirate with the succession limited to descendants of the ruler at the turn of this century. In practice, the ruler and senior family members choose the crown prince from either the al-Jabir or the al-Salim branch of the Al Sabah. The Constitution requires that this choice be confirmed by majority vote of the National Assembly. Executive power is vested in the ruler and in an appointed Council of Ministers whose chairman by tradition is the crown prince.

Upon independence, Kuwait inaugurated a National Assembly composed of 50 deputies (elected by direct male suffrage and secret ballot) plus cabinet members sitting ex officio. The National Assembly can best be described as a body to review government policy and programs and to recommend changes to reflect popular views. The Assembly reviews budgets and interrogates ministers on a variety of subjects, especially their ministeries' responsiveness in public services. Government policy is criticized in the Assembly. The Assembly occasionally rejects government-proposed legislation but this is rare since the Government has usually commanded a sufficient number of votes from loyal deputies plus cabinet ministers to maintain a majority.

When the National Assembly was suspended in August 1976, the Government committed itself to the Assembly's eventual restoration after four years. On February 23, 1981, a new Assembly was elected in an orderly fashion following a hard-fought election campaign. From among 447 condidates running in 25 two-member constituencies, 50 deputies were elected. Over 80 percent of Kuwait's 42,000 registered voters (i.e., about 3 percent of the total population) cast ballots.

Within their very restricted terms, the elections appeared free and fair, with their major departures from democratic practice being the prohibition on party labels and a "grandfather clause" which effectively limits the suffrage to adult males and their descendants who resided in Kuwait before 1920 and maintained a residence there until 1959. In January 1982, the National Assembly rejected by a vote of 27 to 7 a private member's bill to permit women's suffrage. The women's suffrage issue is unlikely to be addressed again by this Assembly, whose term ends in 1985. Although limited and slow, the trend toward more democratic practice is discernable in Kuwait.

Informal contacts between rulers and ruled are also an important feature of the Kuwaiti political system. Traditionally, adult male Kuwaitis have had relatively easy access to their tribal and religious leaders, the heads of the prominent merchant clans, and to the ruling family itself through a system of "diwaniyyas," informal clubs in which anyone can come and freely speak his mind. That custom has endured, as has the tradition that the amirs should govern in consultation with other community leaders. High-ranking officials are also approachable through "wasta," the use of influential family members or acquaintances as intermediaries in obtaining favors or a more favorable hearing for one's case.

While Kuwaiti citizens have a significant though limited degree of formal political participation, non-citizens now outnumber Kuwaitis by 59 to 41 percent. Kuwait has been sparing in extending citizenship to those of non-Kuwaiti origin, with the exception of certain stateless bedouin. Naturalization of even Kuwait-born persons is rare. This anomaly is particularly striking for the 300,000 Palestinians, the second largest group in the population. Kuwait has largely denied citizenship to members of the Palestinian community, pending resolution of the Palestine issue. While expatriates in Kuwait have little say in the internal affairs of Kuwait, they are permitted considerable freedom in conducting exile activities. However, expatriates who violate sanctions against their involvement in Kuwait's affairs or whose activities risk embarrassing Kuwait in its relations with another friendly state may be summarily deported.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Amnesty International does not report on Kuwait. There are no known current requests by non-governmental organizations to examine human rights in Kuwait. Freedom House calls Kuwait "partly free."

4. Economic, Social, and Cultural Situation

The Government has a lavish social welfare program to spread the benefits of its $22,840 annual per capita GNP to all citizens. Programs are designed to provide Kuwaitis with jobs (there is little unemployment), housing, family allowances, retirement income, medical care, education, and employment. Improved health care has resulted in a drop in the infant mortality rate to 33.9 per 1,000 live births and an increase in life expectancy to 70 years. Improved health care contributed to a high annual population growth rate of 6 percent in the years 1970 to 1975. However, the rate of annual population growth dropped to 3.7 percent in 1980, as the Government introduced stricter controls on immigration. In 1980, 71 percent of the population over ten years old was literate. Primary school enrollment reached 99 percent in 1979.

The major social distinction in Kuwait is between Kuwaiti nationals, who comprise only 41 percent of the population, and the expatriate population. Ownership of commercial establishments, real estate, and shares on the local stock market--the principal sources of private wealth in this capitalist economy--are open only to Kuwaitis. Foreigners are not allowed to own real estate in Kuwait and usually are able to engage in business or the professions only in partnership with a Kuwaiti citizen.

Expatriate workers are found in all sectors and levels of the economy, although they occupy almost all of the lower paying positions. They often earn the same base pay as Kuwaitis but receive less in fringe benefits. Benefits restricted to Kuwaiti citizenship include higher government salaries, additional government stipends and social allowances, and retirement pensions. Resident expatriates are entitled to medical benefits and to elementary and secondary schooling (but not kindergarten) for their children in the public schools, but Kuwaitis are given preference for admission to the University of Kuwait. The non-Kuwaiti population can be divided roughly into those who consider themselves temporary "guest workers" in Kuwait and those (primarily Palestinians) who are basically permanent residents. The temporary work force is comprised mainly of semi-skilled workers in the construction field, common laborers, and domestic servants, whose families often remain at home and accumulate savings from remittances. Many of these laborers live in camps or crowded apartments under spartan, sometimes unhealthy, conditions. Temporary workers are prohibited from changing employers without permission both of the original employer and of the government authorities, a system which is sometimes abused by unscrupulous employers to discourage attempts by expatriate workers to seek higher pay or better working conditions. The Government increasingly favors contract workers hired for fixed periods of time. These workers now come predominantly from South and East Asian countries and have little social contact with the permanent population.

Women in Kuwait (both Kuwaiti and expatriate) have comparative social and economic freedom considering the traditional role of women in Islamic societies. Although women are denied the vote and are yet to join the workforce in significant numbers, education is provided equally to both sexes and most professions are open to women. Women in Kuwait are permitted to drive automobiles and may appear in public unveiled.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: KUWAIT

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.0	0.0	0.0	3.2
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	3.1
OTHER-UN	0.0	0.0	0.0	0.1
EEC	0.0	0.0	0.0	0.0

LEBANON

Lebanon is a parliamentary democracy shaped to reflect the numerous religious groups which occupy its territory. To a constitution based on the French model of the late 19th century, which created the executive and the legislature, is added the tradition of confessionalism: the representation of religious communities in the Government.

The Lebanese economy is one of the freest in the world. It is marked by the almost total absence of government intervention. Many of the services normally provided by governments elsewhere are provided by private institutions. Although income is relatively high for the region, there are wide disparities between urban and rural incomes. Nevertheless, there is a large middle class based on commerce and services. In recent years, internal migration to Beirut has led to the expansion of urban poverty, particularly among Muslims.

Lebanon traditionally has shown a high regard for human rights, but its ability to enforce respect for these rights has been severely limited in recent years by internecine warfare and the use of its territory by foreign regular and irregular military forces. This has reduced greatly the area of the country under the Government's effective control.

During 1982, a series of major events took place which had a significant impact on human rights in Lebanon: a) the Israeli invasion of Lebanon in early June and the subsequent siege of Beirut by Israeli forces; b) the evacuation of Palestine Liberation Organization (PLO) and Syrian forces from Beirut; c) the election of Bashir Gemayel as President of Lebanon and his subsequent assassination; d) the Israeli invasion of Beirut; e) the election of Amin Gemayel as President; and f) the withdrawal of Israeli forces from Beirut and the re-imposition of Lebanese authority in the city.

Beginning with the civil war of 1975-76, a situation developed in Lebanon in which human rights were routinely violated, sometimes on a massive scale. During this seven-year period, the Lebanese Government was able to exercise very little control over the country, and fighting among private militias as well as with and between occupying forces caused heavy civilian casualties. In addition, kidnapping, intimidation and summary executions have been common. Some of the private militias received outside support, notably from Syria, Israel, Iraq, and Iran. Non-political crime has also been rampant. Against this background, there has been a general lawlessness which affects much of the country. Personal scores are often settled through violence, and, especially in areas not under the control of the Lebanese Government (all of Lebanon, except Beirut), criminal acts are often pursued under the cover of political action.

Major changes in the human rights picture in Lebanon took place in 1982. As during the past seven years, clashes among Lebanese militias, Syrian forces in Lebanon, and the PLO created widespread abuses of human rights. Beginning in June, the Israeli invasion drastically altered the situation. PLO and Syrian influence was eliminated in Beirut and south Lebanon, but Israeli actions also led to abuses. In addition to violations by the Israelis in areas under their control, the

Lebanese Government itself was responsible for serious abuses as it reasserted its control over West Beirut.

Long or short-term trends in human rights in Lebanon will depend to a large degree on current attempts to resolve the conflicts which have destabilized the country for seven years. The withdrawal of all foreign forces from Lebanon and the consequent establishment of government authority and control over all Lebanese territory should lead, among other things, to the demilitarization of Lebanese political factions and an improvement in the human rights situation. At present, it is important to bear in mind in any discussion of human rights in Lebanon that the Government has very little effective control outside of Beirut.

1. Respect for the Integrity of the Person Including Freedom from:

a. Killing

The Lebanese Government has asserted that 19,800 Lebanese and Palestinian civilians were killed as a result of the Israeli invasion of Lebanon. The fighting between Israeli and Palestinian and other forces during the summer also resulted in significant destruction to certain civilian areas, as heavy weaponry and aerial bombardment were frequently used by Israel in attacks upon targets in urban and other populated areas. In particular, the vast majority of casualties occurred in West Beirut as a result of the two-month Israeli siege of the city. The Government is quick to point out, however, that accurate casualty figures are very difficult to compile in view of extensive destruction of buildings, whose uncleared rubble may cover corpses. Dozens of persons died during the year as the result of bombs used for terrorism and assassination by a variety of groups, in some cases with Syrian backing. The most serious of these was the September 14 bomb assassination of President-elect Bashir Gemayel and 26 other persons at a Phalange Party headquarters in East Beirut. Following Gemayel's assassination and the subsequent Israeli invasion of West Beirut, Lebanese militiamen, in an operation coordinated with the Israelis, entered the Palestinian refugee camps of Sabra and Shatila in West Beirut. The militiamen perpetrated a massacre of hundreds of civilians. The Government found the bodies of 328 victims of the massacre; several hundred more probably remain unlocated. A commission of inquiry has been established by the Government of Lebanon. It has not published results of the inquiry. The Israeli Government has undertaken its own investigation of the massacre.

In October, during protests by Lebanese Shi'a Muslims against the Government's destruction of illegal structures in West Beirut, Lebanese army personnel fired on the demonstrators, killing at least one person and perhaps as many as five. On November 19, a wounded Palestinian prisoner was killed in Gaza Hospital, in West Beirut, by brutal treatment from a soldier of the Lebanese Armed Forces.

Dozens, perhaps hundreds, of civilians were killed in 1982 in clashes between militia forces elsewhere in Lebanon. Fighting in Tripoli resulted in numerous casualties early in the year and occasional outbreaks of violence in the Shuf mountains between Christian and Druze forces claimed the lives of dozens of civilians. At least seven persons died in a series of assassinations and murders in April and May aimed at religious targets; it was widely believed, but not confirmed, that these deaths were the result of a Syrian campaign to stir up confessional strife.

b. Disappearance

Disappearances following abduction are common occurrences in Lebanon. Responsibility is generally attributed to the various militia groups and non-Lebanese Government armed forces. For example, kidnapping was a significant element in the fighting in the Shuf mountains between Druze and Christian militias. There is no evidence that the Government participates in or condones these activities.

Following the September massacre in the Sabra and Shatila camps, Lebanese authorities declared that over 900 Palestinian refugees were "missing." Many of these may have been killed and their bodies never found. Some probably fled and have yet to return. There were also reports that many refugees were taken from the camps by rightist militiamen at the time of the massacre.

Between 9,000 and 15,000 persons, mostly Palestinian but also including many Lebanese and other nationalities, were detained by the Israeli Defense Forces during Israel's invasion and subsequent occupation of southern Lebanon and Beirut. As of the end of 1982, the Red Cross still did not have access to all Israeli-held prisoners. During security sweeps by the Lebanese Armed Forces beginning in mid-September, over 2,000 persons were detained. Although half of the detainees were released after only a short time in custody, the names of the remaining detainees have not been made public by the Government, and for many of the detainees no outside access has been permitted.

c. Torture

Government authorities have publicly stated that they do not sanction torture, but charges of torture have been made against the Government by various political factions as well as by Amnesty International and other human rights organizations. According to press reports, denied by the Government, four Palestinians detained by the Lebanese army in mid-September died as a result of torture. There is strong evidence that the private militias, which operate outside of the control of the central Government, have tortured captured opponents. For example, mutilated bodies are found occasionally in virtually all parts of Lebanon, and some bodies found in the Sabra/Shatila camps showed evidence of torture. There have been various allegations, including some in the Israeli press, of torture or brutal treatment of Israeli-held prisoners during interrogation.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The treatment of prisoners, whether held by private militia groups, foreign armies in Lebanon, or the Government, is not good. Arrests by various militia groups have involved rough treatment and torture and have resulted in summary executions on occasion. Since the Israeli invasion in June 1982, a variety of groups and individuals have charged the Israelis with abuses in their treatment of the thousands of prisoners taken in the course of the invasion and afterward. The majority of these prisoners were Palestinian. Conditions at the Israeli prison camp in Ansar (south Lebanon) were reportedly quite bad with severe overcrowding, inadequate shelter, unhealthy sanitation, and lack of effective medical care. Living conditions at Ansar improved as 1982 went on, but remain unsatisfactory. Communication between prisoners and families was generally not permitted. In September, Israeli guards at Ansar reportedly fired on prisoners attempting to see family members gathered outside the camp perimeter and wounded eight. In December, three Ansar prisoners were killed in another incident of firing by guards.

During the Lebanese Government's search and arrest operations in West Beirut in fall 1982, such a large number of people were arrested that, due to the severe shortage of prison space, conditions under which the detainees were held were poor. Some prisoners were apparently beaten at the time of arrest, and it is probable that the Government used the threat of violence, if not actual violence, during interrogation of prisoners. Numerous press reports, alleged that these Government-held prisoners were subjected to brutal treatment, and, in the absence of outside access to all the prisoners, it is difficult to verify the charges. Amnesty International publicly expressed concern over alleged ill-treatment of prisoners detained in Lebanon by both Israel and the Lebanese Government.

e. Arbitrary Arrests and Imprisonment

Hundreds of arbitrary arrests have been carried out over the years by private militias and military forces occupying Lebanon. There is no way accurately to estimate the number of prisoners who might still be held by private militias. From 9,000 to 15,000 persons, primarily Palestinian but also including thousands of Lebanese and hundreds of other nationalities, were detained without charge by the Israelis. Various accounts, including at least one in the Israeli press, contend that many of the prisoners were not suspected of any direct involvement in military or terrorist activities. Persons who were old, crippled, or blind allegedly were included among these prisoners. Approximately 5,300 persons remained in the Israeli-run Ansar camp as of the end of 1982.

In the course of efforts to reassert Lebanese Government authority in West Beirut in October, the Lebanese army conducted extensive search and arrest operations focused primarily on undocumented or illegal aliens. More than 2,000 people were taken into custody, roughly half of whom were Palestinians. Well over a thousand have been released, but at year's end the Government had yet to make a decision regarding the status of the remainder.

In October the Syrian Government released nine members of the Lebanese Phalange Party whom it had detained in Lebanon. Six of them had been held since 1978, the others since 1980; the Syrians are believed to be still holding other Lebanese prisoners.

f. Denial of Fair Public Trial

Law, past practice, and custom afford the right to a fair trial by an independent judiciary, but conditions in Lebanon have been such that judges occasionally are unwilling to pass judgment or sentences for fear of personal reprisal. This, as well as the shortage of judges, can delay trials. Late in 1982 the Government made a concerted effort to resume the operations of its court system in several parts of the country, including some areas under militia or Syrian control. The number of criminal and civil trials held increased correspondingly. Ultimately, however, the disposition of a case rests in the hands of the group in power in the particular district, rather than in the court system. No legal recourse in Lebanon is available to Israeli-held prisoners in the Ansar camp.

g. Invasion of the Home

The Lebanese Constitution states that the domicile is inviolable and that no one may enter it except in cases provided by the law and according to the form it prescribes. In theory, this means that Lebanese Government authorities must acquire the equivalent of a warrant to enter homes. In areas over which the Government has no control, homes are invaded routinely by private militias and foreign armies. In East Beirut, where the Lebanese Government has recently taken control, there has been a public outcry against the search of residences without warrants, conducted by the Lebanese army, and the demolition of illegal structures which served as homes for Lebanese and Palestinian refugees from south Lebanon.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Present legislation empowers the Government to censor the press but is is not being implemented. There are no Government-owned newspapers, and the press freely criticizes the Government. Publications seldom print material objectionable to political groups in a position to exact retribution. Most publications are distributed freely and are even available in some areas hostile to their editorial viewpoints. Several illegal radio stations operated by individual militia groups broadcast without interference. During the period preceding the presidential elections in August 1982, there were reports of threats to the lives, families, and property of some parliamentary deputies in an effort to influence their actions. These efforts at intimidation were probably made both by the Syrians and allied groups and by elements backing the candidacy of Bashir Gemayel. After the election, the homes of at least seven deputies were destroyed in areas still occupied by Syrian forces.

Following their occupation of Beirut, Israeli forces removed the entire archives, including historical documents and archeological relics, of the Institute for Palestine Studies, of the Palestine Research Center, and of various private individuals.

b. Freedom of Peaceful Assembly and Association

The Government places no restrictions or limits on the right of free assembly. The only existing restrictions are those imposed by the private militias and occupying armies which control various parts of the country.

There is a trade union movement. Laws grant the right to organize, strike, and bargain collectively. Lebanese labor law also provides for collective contracts, mediation, and arbitration. In theory, the unions should have considerable influence. Virtually all sectors of the work force are unionized; perhaps only five percent of the workers in Lebanon do not belong to unions. In practice, however, workers and the unions themselves are subject to pressure by militia groups and foreign armies, as are most other institutions and elements of the society. Strikes or threats to strike are carried out only with the acquiescence (or active backing) of the armed groups controlling any given area.

c. Freedom of Religion

In general, Lebanese can practice their religions freely. Prior to the 1975-76 fighting, accommodation among Lebanon's fourteen recognized faiths was a cornerstone of the unwritten covenant establishing the Lebanese state (the National Pact of 1943). The 1975-76 civil war and subsequent unrest had strong religious undertones, however, and while no official or statutory restrictions on religious practice exist, members of one confession are often reluctant to travel into areas controlled by another.

In spite of the troubles in recent years, religious coexistence is still common with the exception of some Christian-controlled areas from which almost all Muslims have departed. In many cases, religion and politics have become so inextricably mixed that an individual's religious affiliation is taken as an indication of his political leanings. During the fighting between Druze and Maronite militias in the mountains southeast of Beirut, kidnappings and killings on both sides occasionally were carried out solely on the basis of religious identification. Religious distinctions historically have been sharply drawn. They are embodied in arrangements which allocate Governmental and military positions and parliamentary seats on the basis of religious affiliation. Religious courts have jurisdiction over matters of personal status: marriage, divorce, inheritance, and guardianship. Religious law often discriminates against women.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Movement within the country traditionally has been free, subject to the practical consideration that large areas controlled by private militias, the Israelis, the Syrians and the PLO may be unsafe for members of some political and confessional groups. Foreign travel is not restricted. There is no impediment to voluntary repatriation.

Lebanon throughout its history has been a land of asylum. Approximately 240,000 Palestinian refugees are registered with the UN Relief and Works Agency, and many other refugees are in the country without legal refugee status. Since September 1982, the Government has begun to identify and arrest refugees and others who are in West Beirut without proper documentation. A few have been deported; hundreds (mainly Palestinians) remained in prison at the end of 1982.

e. Freedom to Participate in the Political Process

The character of the political system is multi-party. No party is outlawed. Some militant opposition parties can function freely only in areas which their adherents control militarily, or in "neutral" areas controlled by government forces. Most major political parties either have their own press or can get their views fully set forth in sympathetic newspapers. Political/military groups in the country, both Lebanese and foreign, have employed strong efforts--including intimidation--to influence the political process. The Lebanese army, in the course of its search and seizure operation in West Beirut in September and October 1982, closed the offices of certain leftist parties.

Women have the same legal rights as men regarding political participation. Owing to cultural traditions, however, many women refrain from participating in the political process. For this reason, there are few women in the governing structure.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Throughout its history, Lebanon has been an important player in the international human rights arena. For example, former Foreign Minister Charles Malik played a leading role in the drafting of the United Nations Human Rights Declaration. The Lebanese have adhered to the following conventions on human rights: International Covenant on Economic, Social and Cultural Rights; International Covenant of Civil and Political Rights; Convention on the Prevention and Punishment of the Crime of Genocide; International Convention on the Elimination of All Forms of Racial Discrimination; and the Convention on the Political Rights of Women.

The Government itself has not been the subject of resolutions or investigations by official international organizations, although there have been numerous UN resolutions, targetted mostly at Israel, regarding the invasion and, later, the massacre in the refugee camps. The International Committee of the Red Cross maintains a large presence in Lebanon. Most of its activities are focused on areas under the control of the Israelis, Syrians, and PLO. There exists a small Beirut-based Committee for the Preservation of the Constitution and Liberties, which concerns itself with the observance of human rights in Lebanon and throughout the Middle East. There are also individuals who take a personal interest in human rights. Their activities are generally limited to deploring the lack of government authority and intervening on the behalf of selected individual victims of actions by the private militias and foreign armies in Lebanon.

4. Economic, Social, and Cultural Situation

The Lebanese traditionally have operated one of the freest economies in the world, even relying on the private sector to provide many of the social services which most Governments ordinarily supply. The Government is now increasing its programs in this area, providing relief and reconstruction assistance and low-cost loans. The main economic and social problems are the result of an absence of a political consensus and the internal security situation. People are reluctant to invest in long-term projects.

Income is relatively high for the region, but is unevenly distributed. Disparities were wide between urban wealth and rural poverty, but urban poverty has also increased over the past two decades, largely as a result of rural immigration. There is a large, stable, and highly active middle class based on commerce and services. The tax system is progressive, but collection of direct taxes is difficult under present circumstances and accounts for only a small fraction of government revenues. Per capita income was estimated at $1,000 in 1974. It declined during the 1975-76 civil war, but has since climbed to an estimated $2,200 in 1981 (Central Bank figures). Lack of statistics and the havoc wreaked by seven years of civil war and the Israeli invasion of summer 1982 prevent an accurate analysis of welfare levels.

Employment and educational opportunities for women, as well as their right to own property or operate businesses, are limited in some regions by religion and custom. In Beirut, many women hold responsible jobs in the private sector. There are no elected female officials at the national level and very few women serving as senior government officials.

Property is privately owned and the right to property is protected in normal circumstances. However, the private militias, the Syrians, the PLO, and the Israelis have seized property frequently. Shelter has been a problem for refugees, both Palestinian and Lebanese, since the civil war began in 1975. The Israeli invasion in 1982 created additional thousands of homeless, particularly among Palestinian refugees. A large-scale international effort was launched to provide basic shelter for many of the homeless. The Lebanese Government has sought to block international efforts to reconstruct permanent housing for the Palestinian refugees, but has allowed the UN to erect tents to protect the refugees.

To try to ameliorate the housing shortage for Lebanese, the Government has established a program designed to assist low-income families to build and obtain housing, with particular emphasis on south Lebanon. The Government has sought funds from international donors to assist in the program and has committed funds pledged by Arab states to the housing sector.

Adequate health care is generally available in urban areas from a well-developed but privately-funded health sector. The Government recognizes the need to improve existing Government-run facilities. Many public facilities were damaged during the civil war and the Israeli invasion and are not adequate in many areas. American University Hospital in Beirut accepts a small number of patients who are unable to pay for medical attention. Some international organizations are working with the Ministry of Health to improve administrative and management capabilities.

Educational facilities are abundant, but the main burden is carried by private schools. If they can afford it, Lebanese educate their children in private schools at all levels, and over 50 percent of pre-university-level students attend private schools. Many private elementary schools enjoy substantial government subsidies. However, public education exists through the university level. The literacy rate in Lebanon varies from 90-96 percent among Christians and Palestinians to as low as 30 percent among Shi'a Muslims and non-Palestinian refugee groups. In addition, the Government supports vocational education in such areas as mechanics, television repair, aircraft maintenance, and other technical fields.

Lack of an adequate administrative base hinders the fulfillment of many programs which would broaden shelter, educational, and health facilities and improve the general economic infra-structure. The Government is stepping up the pace of reconstruction with the assistance of the international community and private Lebanese philanthropists. The Council for Development and Reconstruction, established in 1977 under the former Ministry of Planning, has responsibility for drawing up and implementing Lebanon's program of economic and social recovery.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: LEBANON

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.5	4.0	11.2
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.5	4.0	11.2
A.AID	0.5	4.0	9.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.5	4.0	9.0
(SEC.SUPP.ASSIST.)...	0.5	4.0	6.0
B.FOOD FOR PEACE.......	0.0	0.0	2.2
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	2.2
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	2.2
E.RELIEF.EC.DEV & WFP.	0.0	0.0	1.8
VOL.RELIEF AGENCY.....	0.0	0.0	0.4
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	22.4	20.3	10.6
LOANS..............	22.0	20.0	10.0
GRANTS.............	0.4	0.3	0.6
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	22.0	20.0	10.0
C.INTL MIL.ED.TRNG....	0.4	0.3	0.6
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	22.9	24.3	21.8
LOANS..............	22.0	20.0	10.0
GRANTS.............	0.9	4.3	11.8
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	27.9	3.5	12.0	202.8
IBRD	0.0	0.0	0.0	116.6
IFC	0.0	0.0	0.0	9.3
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	9.2	0.5	0.0	33.9
OTHER-UN	1.7	0.0	0.0	8.0
EEC	17.0	3.0	12.0	35.0

LIBYA*

The Socialist People's Libyan Arab Jamahiriya describes its form of government as "popular democracy," but the country is essentially under the control of a military dictator, Col. Mu'ammar al-Qadhafi. The governing principles of the society are expressed in Qadhafi's "Third Universal Theory"--the "Green Book"--rather than in the Constitution. The Libyans have created a government which they regard as being heavily based on Islamic teachings and which ostensibly emphasizes full participation of the people in the decisions which affect their daily lives through a system of people's committees. These committees not only operate local government and social institutions such as education, but also control virtually every local enterprise, including farming and manufacturing. They are influential in terms of local operations, but Qadhafi--though holding no formal government position--remains the single arbiter of all important issues in Libya.

Like other petroleum-producing countries, Libya has benefitted from the high prices of recent years, with oil income reaching a high of $23 billion in 1980. This enhanced revenue was used to finance an active internal development program (new schools, hospitals, roads) and to acquire large quantities of weapons. In addition, Qadhafi has attempted to overthrow the governments of a number of other states and has supported a wide range of terrorist groups in virtually every area of the globe. Because of unrealistic oil pricing policies, Libyan revenues declined considerably in 1981 (to about $15 billion) and somewhat further (to $13 billion) in 1982. Significant parts of the 1981-85 development plan were postponed in 1982 because of these financial problems, but weapons purchases and efforts to destabilize moderate neighbors did not decline appreciably. Qadhafi has admitted that financial problems have made it difficult for him to finance "liberation movements," and it appears that funds for a few extremist groups were stopped or reduced.

Since 1969 the regime has prided itself on its "white" (or bloodless) revolution. However, the considerable change for the worse in Libya's human rights picture since 1980, including reports of marked increases in torture and abuse, appears to have continued in 1982. In speeches in October 1982, Qadhafi indicated he may be planning to resume the 1980-81 campaign of assassinations of Libyan exiles.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Reports persist of summary executions, as well as deaths by torture, of some of those arrested during 1982. For example, Middle East press sources report that 21 Libyan naval officers were executed in the first half of the year for alleged participation in a plot to assassinate Qadhafi. Other sources allege that, in another 1982 case, more than 30 military men were summarily executed after "discovery" of a false coup plot concocted by Qadhafi's security forces. Forty-three Chadian workers in Libya were reportedly executed for refusing to join a Libyan-organized expeditionary force to fight against the Government of Chad.

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*After the attack on the US Embassy in Tripoli on December 2, 1979, Embassy operations were suspended. On May 2, 1980 the Embassy was closed. Because of the absence of a United States Mission in Libya, this report draws heavily on unofficial sources.

The 1980-81 assassination campaign against Libyan exiles, a form of domestic persecution practiced abroad, followed an April 1980 address in which Qadhafi issued an ultimatum to his enemies abroad to return to Libya or be killed. Although the campaign was not resumed in 1982, Qadhafi made two speeches in early October 1982 in which he threatened to renew the killings. Some exiled dissidents received threatening communications from Libyan officials including, in some cases, letters from the General Revolutionary Committee in Tripoli revoking their citizenship and vowing to "liquidate them physically." There are reports that a pro-Qadhafi group met in Europe in July 1982 to select assassination targets. These threats were taken very seriously among Libyan exiles in the US, Europe, and elsewhere and were, in themselves, a form of international terrorism.

b. Disappearance

There continue to be reports that Libyan businessmen, former government officials, religious oppositionists, and political activists have been taken into custody by the Government with no further information available as to their condition, their whereabouts, or the charges lodged against them. Referring to the problem of disappearances in Libya, Amnesty International has stated that detainees apparently have been held incommunicado for unlimited periods in centers belonging to the intelligence services.

c. Torture

During 1982, there were numerous reports of torture and mistreatment of prisoners. An exile group, the Libyan Committee for the Defense of Democracy and the Rights of Man reported that Benghazi law student Ahmed Isma'il Makhlouf died in July 1982 after being tortured for writing anti-regime slogans on the walls of university buildings. According to Amnesty International, Makhlouf and fellow student Najir Abuhawiya reportedly died under torture by the security services. The two students are said to have been arrested on April 7 after demonstrations at Benghazi University. Amnesty International wrote to Qadhafi on October 6, 1982 calling for an investigation into the two students' deaths. There has been no response from Qadhafi. At least two other persons--a university professor and a military man--reportedly also were tortured to death. The methods of torture most commonly reported to Amnesty International include electric shocks to the head and genitals and beatings on the soles of the feet. Much of the torture is alleged to have been inflicted by selected members of the revolutionary committees.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Detainees in criminal and security cases reportedly are frequently beaten during interrogation. In some prisons, conditions reportedly are tolerable but, according to information received by Amnesty International, conditions of detention for political prisoners have worsened, including transfer to overcrowded cells and confiscation of reading and writing materials. Various reports suggest that beatings and other forms of degrading treatment of prisoners of conscience are commonplace and that several are afflicted by deep depression. Amnesty International has expressed concern about the large number of offenses, including political offenses, which are punishable by death under Libyan law. For example, membership in an illegal operation was made a capital offense in 1975.

e. Arbitrary Arrest and Imprisonment

According to Libyan law, detainees may be held incommunicado for unlimited periods. Many allegedly are held without charge or trial, apparently as an example to would-be opponents of the Qadhafi regime. Some are said to have been released quickly, but others reportedly were beaten.

Libya declared several years ago that there were then "no political detainees on any charge in its prisons." Reports from a variety of sources, however, claim that Libyan prisons contain increased numbers of persons convicted of or held for political offenses. Qadhafi justified in a 1981 speech imprisonment on political, as opposed to criminal, charges: "...those who are put into prisons are there because they are the enemies of the people and they fight for restoring the government above the people. There is no shame and there is nothing wrong in putting these persons in prisons or in treading on them with your feet."

Amnesty International in 1979 estimated the number of political prisoners to be 80. The 1980-81 arrest campaign certainly pushed that number far higher. More than 3,000 persons were reportedly arrested during that campaign, many of whom were later killed or released. There is information from various sources that, during much of 1982, some 300-500 suspected dissidents, mostly students, were in detention at any given time. These persons reportedly were taken into custody during several waves of arrests at universities throughout the year. Amnesty International has information, for example, that some 200 professors and students, including Makhlouf and Abuhawiya, were arrested in April 1982 on orders of the Benghazi University Revolutionary Committee. Exile sources claim that about 30 women students at Benghazi University were detained and their heads shaved during the late spring for distributing pamphlets and writing anti-Qadhafi slogans on walls. According to these sources, the women were to have been put on trial, with the authorities seeking penalties from death to life imprisonment. Further, the Saudi press reported in June that 117 army officers had been arrested in April for alleged anti-regime plotting in Benghazi.

A number of persons arrested prior to 1982 continue to be held. For example, several alleged members of the pro-Iraq wing of the Baath Party, including attorneys, writers, instructors, and students reportedly still are held in Tripoli Central Prison despite acquittal. The men, arrested in February and March 1980, were tried on the charge of membership in an illegal organization (since 1975, a capital offense), but reportedly were acquitted after the court received evidence that they confessed under torture.

f. Denial of Fair Public Trial

The normal court structure in Libya has been by-passed to a signigicant extent by the "people's courts." This parallel legal system has far fewer safeguards, and the trials are frequently held in camera or in absentia. Over the years, the Libyan authorities have put considerable pressure on the Libyan legal profession. According to a new book by exile attorney 'Imran Muhammad Buruways, Qadhafi personally threatened in 1977 to execute the director and board of the Libyan Lawyers' Union if it did not issue a certain statement. The pressure culminated in a 1981 law prohibiting the private practice of law and making all attorneys employees of the Secretariat of Justice. The Union of Arab Lawyers, located in Cannes, France, has expressed concern for the ability and freedom of attorneys simultaneously to provide aggressive legal defense for political prisoners and to serve as government employees. The Libyan authorities have claimed that they "guarantee prisoners all necessary means of defense and safeguards of justice adequate to the principles contained in the declaration of human rights." They claim the accused may contact their lawyers and families "as soon as possible with respect to the exigencies of interrogation."

In routine civil or criminal cases, these government claims appear to reflect accurately the prevailing situation. However, in security cases, there are many reports of prisoners' being held incommunicado and without trial for long periods. While undergoing interrogation--sometimes for periods of several months--they are given no access to legal representation. Alleged political offenses seem increasingly to be tried before ad hoc "revolutionary courts" rather than through the normal judiciary procedure, with the defense severely restricted.

g. Invasion of the Home

The legal stipulation that judicial warrants must first be obtained before entering a private home is reportedly often disregarded.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Col. Qadhafi's Government continues to restrict severely basic civil and political freedoms. Internal security became even more strict during the latter half of 1982 as a result of Qadhafi's increasing insecurity. The media are owned and controlled by the Government, with the official news agency JANA the conduit for politically acceptable opinions. Domestic and international telephone calls are routinely tapped. Token criticism of the Government is permitted during people's committee meetings and at the annual General People's Congress. However, most Libyans are circumspect about uttering dissident views toward the regime's policies. One resident told a Western reporter that Tripoli is a "frightened city. People are not only frightened to come to foreigners' homes, they are frightened of each other." (Alan Cowell, "New York Times," September 14, 1982).

b. Freedom of Peaceful Assembly and Association

The right of association is granted only to those institutions affiliated with the apparatus of the regime. Attempts at public assembly, as noted above, are repressed if they are not government-controlled and supportive of regime positions. Organizations such as trade unions and professional associations are viewed by Qadhafi as threats, and he vowed not to "accept intermediaries between the revolution and its working forces." The previous trade union system has been changed considerably. New unions, organized under government control, are also run through the popular committee system. Collective bargaining no longer occurs. The intimidation of the Libyan Lawyers' Union is illustrative of the regime's view of independent professional associations. There have been no reports of strikes for some time; presumably they are not permitted.

c. Freedom of Religion

Libya is overwhelmingly Muslim. Services are permitted in some Christian churches. There is a Catholic bishop resident in Libya, and the small number of priests and nuns there are reportedly permitted to wear their habits. The once-powerful Sanusiyya Islamic religious organization was virtually banned by Qadhafi after the revolution as part of his efforts to eliminate rival power bases. Restrictions were placed on the operation of the organization's Zawaayaa (lodges), a government supervisor was appointed for Sanusi properties, and the Sanusi-sponsored Islamic University was merged with the University of Libya. Nearly all of Libya's formerly large Jewish community has emigrated. No information is available on the status of any Jews who may remain in Libya; however, virulently anti-Jewish broadcasts on Libyan radio were the apparent cause of anti-Jewish violence in 1982 in portions of Tunisia within broadcasting range.

It is not known what became of 15 persons reportedly arrested in a Tripoli mosque in late 1980. Amnesty International received information that five of these, including a mosque official, may have been executed in 1981. The mosque remained closed as of the beginning of 1982. Amnesty International's requests to the Libyan Justice Secretary for information on this case have gone unanswered. Some 200 members of the Moslem Brotherhood and another extremist religious group are said to have been detained during the first half of 1981, but no further information has been developed on this case.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

With the exception of security areas, freedom of movement within the country is unrestricted for Libyan citizens. An exit permit is required for travel abroad. Military conscription regulations have led to some restrictions on the issuance of exit permits to potential inductees. It is reportedly increasingly difficult for Libyan nationals suspected of inadequate revolutionary zeal to travel abroad. For example, during 1982 the authorities reportedly withdrew the passports of some persons suspected of intending to have contacts with Libyan exiles. Information concerning current Libyan policy with regard to emigration or voluntary repatriation is unavailable. Wives may not leave the country without their husband's permission; children may not travel without their father's consent.

e. Freedom to Participate in the Political Process

Major decisions in Libya are made by Qadhafi himself, as are all appointments of military officers and official functionaries down to a low level. Power flows down from Qadhafi, who surrounds himself with an increasingly small circle of associates whose own authority is a reflection of their proximity to him.

Officially, Libya describes itself as the world's only Jamahiriya, or "Republic of the Masses." Major changes in the organization of the Libyan state occurred in 1977. These changes were intended by Qadhafi to replace subnational leaders, chosen on traditional and cultural bases, with leaders selected by and presumably loyal to Qadhafi. The changes centered on the establishment of the General People's Congress and the appointment of the General People's Committee and a series of subordinate popular committees. Although political parties have been outlawed, many people have some involvement in the system through the local committees. Efforts have been made to recruit women and members of the Berber minority in this local political structure.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

An Amnesty International mission went to Libya in early 1980. Following the mission, Amnesty International issued a memorandum "setting forth its concerns to the authorities in which it called upon the Libyan authorities to put an end to 'physical liquidation' and to implement fully the provisions of the international instruments guaranteeing human rights which they had ratified." The Libyan authorities have failed to respond to written requests from Amnesty International for information on specific cases. Freedom House, in its 1982 report, classifies Libya as "Not Free."

4. Economic, Social, and Cultural Situation

A tightened world oil market and Libyan price cuts caused sales and revenues to rebound somewhat in the second half of 1982. The current account remained in deficit, however, which led to food shortages, since most food is imported. Thus, the 1982 development plan was officially scaled back and there were persistent reports that outlays and projects under the 1981-85 plan had been frozen. Libya's substantial oil wealth has allowed the Government over the years to make real improvements in the people's material standards, despite the curtailment of freedoms. Per capita GNP rose from $5,560 (1971) to $8,639 (1980). Investment in health facilities and a marked growth in female literacy over the past decade contributed to the increase in life expectancy at birth to 56.5 years (1980) from the earlier 51.9 (1971). The infant mortality rate was 53 per 1,000 live births in 1981. Population, estimated at 3,200,000, has been growing at 4.1 percent per year. Between 1971 and 1979 the percentage of the population with access to safe water increased from 58 to 100, and the percentage of calorie supply available for consumption relative to nutritional requirements increased from 105 to 126.

The considerable investment in education has increased the number of elementary students from 270,000 (1969) to 600,000(1982), according to official Libyan figures. The addition of all other students brings that total number to nearly one million, say these same sources. Certainly the literacy rate has increased beyond the 50.1 percent recorded in 1973. Mitigating against such progress at the university level were the limits on freedom of speech and militarization of the campuses, with its reduction of classroom time.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: LIBYA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.2	0.1	0.0	26.0
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.2	0.1	0.0	23.7
OTHER-UN	0.0	0.0	0.0	2.3
EEC	0.0	0.0	0.0	0.0

MALDIVES

Maldives is a far-flung country of 153,000 people spread over some 1,200 islands in the Indian Ocean. The capital, Male', is 400 miles from its nearest neighbor, Sri Lanka. Although ethnically similar to the Indic peoples of Sri Lanka and India, Maldivians also have had centuries-old contacts and interrelationships with the Arab world. The influence of Islam and the isolation of their island civilization have been key elements in determining the Maldivian character and the course of Maldives' development.

The country was governed as a hereditary sultanate for centuries and was a British protectorate from 1887 to 1965. Maldives in the past several decades has experimented with various forms of government, including an elected sultanate and republicanism. The present system provides for a strong executive president, assisted by a council of ministers, and an elected parliament, called the Majlis, with legislative powers. Economic and political powers are concentrated in the hands of a small traditional elite.

Personal and authoritarian rule has historically been the norm, and Maldives' Islamic society traditionally has been governed by the principles of Shariat law (Islamic Code). The more modern Constitution of 1968 guarantees basic human rights, but in the political sphere in particular these concepts are new to Maldives and their practice is in a state of evolution.

In July 1981, President Gayoom suggested a model for a new constitution formulated by scholars and foreign legal experts. The President's submission was in compliance with a motion passed by the Majlis in 1979 seeking a new constitution which would meet the requirements of a more modern society and more accurately define the powers of the President and the separation of powers among the presidency, the Majlis, and the judiciary. The 90-member special Majlis appointed to review the draft Constitution is currently debating its provisions. It now appears that the target date for implementation -- December 22, 1982 -- will slip, however, and the Majlis is not expected to complete its work until mid-1983. By proceeding with the implementation of the new Constitution and engaging in necessary development projects, the Government believes that it is both safeguarding the basic rights of Maldivians and enhancing their prospects for a brighter future.

Given the authoritarian history of government and society in Maldives, and the Government's desire to pursue economic development in an organized, centrally-directed manner, there is little likelihood that the human rights situation in Maldives will be considerably changed during the next few years. However, President Gayoom, in a recent press interview, stated that the new Constitution will "clearly spell out the fundamental rights of the people....and the relationship between the citizens and the state." In addition, despite the essentially autarchic nature of the Government in Male', the individual atolls and islands have enjoyed considerable autonomy in historic times and continue to do so today.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Killing for political motives or by the Government or opposition political organizations is unknown in Maldives. Murders of any kind are, in fact, virtually unknown.

b. Disappearance

There were no known instances or allegations of abductions, secret arrests, clandestine detention, or permanent "disappearance" by official or quasi-official security forces or by terrorist organizations.

c. Torture

Under the Maldivian Constitution, no person may be penalized except as convicted under Shariat law or on conditions specified by law, and "under no circumstances can an injury be inflicted." The Government does not condone or practice torture. There were no known allegations of torture during 1982.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

There are no prisons in Maldives; there is a "detention center." Crimes of violence are relatively rare. Common forms of punishment for crimes are fines, payment of compensation, house arrest, and banishment to a sparsely inhabited island where the person must earn his own living under the watchful eye of authorities. Severe forms of corporal punishment provided for in Shariat law are not imposed in Maldives. As far as can be determined, all prisoners are treated the same in confinement or in banishment. The President does exercise his option to pardon convicted criminals or to curtail their sentences; this was done in April when President Gayoom released two prisoners and reduced the sentences of 29 other convicted persons, and again on November 11 when the President granted amnesty to 329 persons. A number of those granted amnesty had already served most of their sentences; 105 were under house arrest in the atolls and 6 were under house arrest in Malé. In addition, the President reduced by half the sentences of 22 persons convicted on drug charges this year. There was no amnesty or reduction of sentence, however, for any person convicted of participating in a coup against the Government.

e. Arbitrary Arrest and Imprisonment

According to law, a suspect may be detained for two weeks or placed under house arrest while a case is being investigated. By authority of the President, detentions may be extended another month. The legal time limits for pre-trial detention are not strictly enforced. About a dozen suspects rounded up in connection with the unsuccessful 1980 coup attempt were imprisoned without trial for several months. Eventually, they were tried, convicted, and sentenced.

f. Denial of Fair Public Trial

The legal system of Maldives is derived from traditional Islamic law, but a body of civil law is developing to meet circumstances of modernization. The system is administered by secular officials: a Chief Justice, lesser judges and legal officials known as qazis, who are trained in Malé and assigned to islands throughout the country. The Government has established a high court to try major cases. Legal officials are appointed by the President and function under the Ministry of Justice; there is also an Attorney General. The Maldivian custom is for the accused to defend himself; normally witnesses are called to speak on behalf of the accused. While lawyers are not expressly forbidden, the legal profession is virtually unknown in the islands, and lawyers are not a normal part of this process; nor are they provided by the court. The prisoners held in connection with the coup attempt of 1980 did employ lawyers and were not prevented from using them. The judiciary is not regarded as very independent in Maldives, as judges are appointed by the Government and have no clear right of tenure.

g. Invasion of the Home

According to the Constitution, private premises and dwelling places shall be respected and shall not be trespassed, save under conditions stipulated by law. There are no reports of practices to the contrary.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

The Maldivian Constitution provides that every person has freedom of speech and press so long as provisions of Shariat and civil law are not contravened. The number of newspapers in Maldives is limited; there is no prior censorship, although all publications must be registered with the Government. There is no official press, and it is the policy of the present Government to avoid the development of an official press. The press is legally free, but restrained by tradition from being too critical of the Government. Newspapers exercise self-censorship, since journalists are subject to prosecution if articles are deemed to contravene such laws as one prohibiting arousal of ill feelings against a lawfully formed government. There have been instances when journalists or editors have been questioned about particular articles appearing in the press. These are generally the result of misunderstandings, which are then satisfactorily resolved. With a long tradition of authoritarian rule behind them, Maldivians are careful about what they say to strangers and are reticent on political subjects.

b. Freedom of Peaceful Assembly and Association

While the Maldivian Constitution provides for freedom of assembly and association, there does not appear to be a tradition of exercising certain of these freedoms. It appears that the only rallies permitted are those sponsored by the Government and addressed by officials and religious leaders. Associations such as clubs, parties, and companies which do not contravene rules of behavior prescribed by Shariat and civil law are permitted, but must register with the Government. There are no trade unions in Maldives. Labor unions are neither expressly permitted nor expressly prohibited under Maldivian law. Until recent years, the overwhelming majority of Maldivians were either self-employed or held government jobs; thus the motivation to form labor unions was absent. Reportedly, sailors of the Maldivian shipping line recently tried to form a labor union to press for wages consistent with those paid internationally. For a number of reasons, among them the economic impact on the company, this attempt at unionization was quashed by the Government. On November 11, the Government created a Department of Public Works and Labor to regulate labor practices and reportedly to respond to worker grievances in the tourist resorts.

c. Freedom of Religion

Maldives is an Islamic state. A Maldivian citizen is, by definition, a Muslim; other religions are not proscribed, but there are no places of worship for religions other than Islam. The lack of houses of worship does not appear, however, to have deterred Hindus and Buddhists from neighboring India and Sri Lanka from coming to Maldives and establishing businesses and filling educational and technical positions.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

With the exception of those who have been convicted and sentenced to banishment on one of the outer islands, Maldivians are free to travel within and outside their country. The Government discourages Maldivians from changing islands of residence primarily in order to contain growth in over-populated Malé, where more than 20 percent of the population now lives. Wide dispersal of population is economically inefficient and makes provisions of services difficult, but the Government is determined not to mandate consolidation of the far-flung Maldivian population on larger islands. Instead it hopes to attract voluntary relocation through making the islands more attractive and bringing services to the people. In July, the Government reimposed regulations suspended in 1975 requiring non-residents of Malé to register with the authorities in order to stem the uncontrolled infusion of people from other islands. The Government is particularly concerned that over-crowding, poor housing, and inadequate sanitation in Malé will lead to epidemics that spread to other islands. A severe epidemic of dysentery in May-July resulted in several dead and hundreds seriously ill.

Passports are freely available to Maldivian citizens; it is believed that normal restrictions on travel apply to persons such as convicted criminals. Generally, a citizen can travel overseas and is not required to obtain an exit permit.

e. Freedom to Participate in the Political Process

There are no organized political parties in Maldives. There has never been a concerted attempt to form a political party in Maldives, although it is not expressly forbidden to do so. President Gayoom, in a recent press interview, stressed the homogeneous nature of Maldivian society and observed that, "Most political parties are formed because certain sections of the people think they are deprived of certain rights and privileges and would like to defend or acquire them. These circumstances do not exist in our country." Maldivians seem generally to share the President's view that political parties are neither appropriate nor necessary in the Maldivian context.

Candidates stand for election to the Majlis and campaign on the basis of personal appeal. Political rallies are not the custom. The Majlis has "camps" or "factions" which coalesce around certain views or certain individuals. Participation in the political system is open to all citizens 21 years of age or older. The presidency is limited to men, and the President is chosen by the Majlis and then confirmed or rejected in a national referendum by secret ballot.

Islamic and Maldivian traditions limit women's role in society and the political process, but the present Government is making an attempt to elevate the position of women. Of eight persons appointed by the President to the Majlis in 1979, two were women. There are three women in the 90-member special Majlis considering the new draft Constitution. A woman holds the position of special assistant to the President for protocol and foreign relations. The President recently created a national women's committee to work for greater participation by women in the development of the country.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

There have been no known requests for outside investigations of any alleged violations of human rights in the Maldives. There are no local human rights organizations. Amnesty International has expressed, in its 1982 report, its concern about procedures used in the cases of those arrested following the 1980 coup attempt.

4. Economic, Social, and Cultural Situation

Maldives' socio-economic situation is largely determined by the relative isolation of not only the nation as a whole from the other countries of South and West Asia but also by the isolation of the inhabitants of individual islands from each other and from the political and economic capital of Malé. Development of Maldives in the past was concentrated in the capital, to the detriment of the far-flung atolls across the 512-mile length and 81-mile breadth of the Maldives Archipelago. The Government of President Maumoom Abdul Gayoom, who came to power in 1978, has attempted to rectify the imbalance between the capital and the hinterlands and spreading the benefits of development as widely as possible.

While encouraging the production of Maldives' basic commodities, fish and coconuts, the Government has made judicious use of other favorable characteristics of the islands and has encouraged significant growth in the field of tourism (on islands near Malé) and garment manufacturing (on Gan Island in Addu Atoll). Capitalizing on its beautiful islands, Maldives has boosted tourism and has seen it grow from 29,000 tourists per year in 1978 to a claimed 60,000 during the past twelve months. The garment industry in Gan has provided valuable employment and is helping to redress a serious problem which resulted when a British base on Gan was closed in 1976. Many of the workers who lost their jobs at that time congregated in Malé, thus creating serious overcrowding and a rising crime rate. The government is trying to encourage some inhabitants of Malé to return to their native islands, and this can be successful only if work and jobs are found for them there.

The year 1982 was important for the improvement of health services in Maldives. Formerly the only medical care available was in the Central Hospital Malé, which was fairly well-equipped but depended on doctors assigned from time to time by the World Health Organization. With funds and technical assistance provided by UNICEF, the first regional hospital in a northern atoll was opened by President Gayoom in March; during the same month the foundation for the second regional hospital was laid in southernmost Addu Atoll. The Government anticipates having a total of four regional hospitals. Much remains to be done in the health field, as evidenced by the relatively low life expectancy at birth (47 years) and high infant mortality rate (121 per 1000 live births). Only 15 percent of the total population of Maldives (54 percent in urban areas) is considered to have access to safe water. The population growth rate is high at 3.1 percent per year.

According to a recent government report, rapid progress has been made in the field of education since President Gayoom assumed power in 1978. While in 1978 there were only three government schools (all of them in Malé), now there are 32 government schools spread throughout the atolls. The three secondary schools are all in Malé. Despite these advances, many of the remote islands lack educational facilities. While literacy is 82 percent overall (according to the 1977 census), the percentage of those who are considered to read at "satisfactory" or "very good" levels is 44 percent for men and 41 percent for women. The adjusted primary school enrollment ratio is 36.2 percent. As there is no university in Maldives, the Government has an active program of seeking scholarships for promising students to continue their higher education at universities in the Middle East, India, and the United Kingdom.

Maldives' status as one of the least developed countries is borne out by its per capita GNP of $258 (1980), up from $160 four years earlier. With an economy which still depends on traditional fishing (involving about 30 percent of the male population), harvesting coconuts (for coir rope), and rudimentary subsistence farming in some atolls, there is need for further development of new areas of employment.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: MALDIVE ISLANDS

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS.......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER.............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	0.3	0.2	0.2	4.9
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	3.2
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.3	0.2	0.0	1.5
OTHER-UN	0.0	0.0	0.2	0.2
EEC	0.0	0.0	0.0	0.0

MOROCCO*

Morocco, which has existed as a political entity for some 1,200 years, is a constitutional monarchy ruled by Hassan II. The Constitution confirms the King as head of state and religious leader of Morocco, with extensive powers. He dominates the Moroccan political system. The Constitution also provides for a multiparty system with a Prime Minister appointed by the King to be head of government; a unicameral parliament (264 members elected for six year terms, two thirds directly elected by universal suffrage of those over 20 years; the remaining one-third indirectly elected by community councils and by business, labor and farmer groups); and an independent judicial structure, of which the highest court is the Supreme Court, whose judges are appointed by the Crown. Civil and criminal codes combine both French and traditional Islamic law.

The Treaty of Fez (1912) made central Morocco a protectorate of France; Spain assumed a protectorate over zones in the north and south. The Kingdom of Morocco recovered its political independence from France on March 2, 1956. Hassan II succeeded his father, Mohammed V, to the throne in 1961. Spanish zones were restored incrementally to Morocco in 1956, 1958, and 1969; two northern enclaves now remain under Spanish control.

In what most Moroccans saw as a continuation of this process, Spain ceded control of the Western Sahara to Morocco and Mauritania in the Madrid Accords of November 1975, and Morocco occupied the northern part of the territory. Morocco occupied the remainder of the territory following Mauritania's renunciation of its claims in 1979.

Saharan nationalists of the Polisario Front rejected Moroccan and Mauritanian control and in February 1976 declared the territory's independence as the Saharan Arab Democratic Republic. The Polisario, with direct material support principally from Algeria and Libya, has been at war with Morocco since then. A ceasefire and referendum were agreed upon in August 1981 at an Organization of African Unity summit in Nairobi, but details of this settlement remain to be worked out and the fighting has continued intermittently. The Moroccan Government's completion of a defensive barrier around the main populated areas in 1982 significantly reduced Polisario ability to strike at them. Areas of the Western Sahara under government control have been integrated into the Moroccan polity, and their inhabitants participated in elections in 1977 and 1981 on the same basis as inhabitants of Morocco proper.

During its 26 years of modern independence, Morocco has confronted major challenges in building national political, economic, and social structures on its colonial and tribal infrastructure. This has been especially true in encouraging development of political institutions, in providing for basic educational, housing, and health needs, and in training the necessary manpower to manage its bureaucracy and private sector. Despite its moderately good quality of life, the costs of Morocco's efforts to assert control over the Western Sahara, together with rising imported energy and food costs, as well as constricting export markets, remain an economic drain on resources that otherwise might be applied to further developing the economy and to instituting additional social programs. During the past two years, the Government has also cut back subsidies on basic staples for budgetary reasons, a move which helped to spark serious unrest in Casablanca and other urban areas during 1981.

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*A special section on the Western Sahara is appended at the end of this report.

More than half of Morocco's Arab-Berber population of 21 million is under the age of 20. Arabic is the official language of the Kingdom; Berber is spoken by some 40 percent of the population; French and Spanish are widely spoken. Islam, which serves as the guide for the nation's traditional social system, is the established state religion.

The coastal plains, containing nearly all of Morocco's major cities and 40 percent of its population, are the most densely populated and economically advanced part of the country. The nation is still largely rural, with an agricultural economy despite an accelerating influx of people to the cities.

Moroccan society has traditionally been politically fragmented. Immediately following the removal of the political controls of the Protectorate at independence, the country experienced rural rebellions, border clashes with neighboring states, two attempted military coups, the promulgation of several constitutions, and the evocation of a "state of exception" following civil unrest. Recently, there have been elections for local councils (1975) and for the national legislature (1977) in accordance with the Constitution approved by national referendum in 1972. There were elections for vacant parliamentary seats and for local councils during 1981, as well as elections of some 80 members to a newly formed consultative council for the Sahara. Public positioning by the political parties has already begun in anticipation of the parliamentary elections scheduled for 1983.

Moroccans enjoy considerable civil liberties and freedom of expression. The Constitution is unusual in that it forbids the establishment of a single-party system. In addition to nine political parties, including two key opposition parties (the Socialist and the Communist), three trade union federations, two student unions, seven daily newspapers of varying political persuasion, and two human rights organizations operate in the country. The Moroccan Parliament and local municipal councils, since they assumed their functions in 1976 and 1977, have strengthened democratic institutions in the country.

At the urging of international financial bodies, the Government in 1981 raised the prices of heavily subsidized basic foodstuffs by up to 75 percent. In consequence, the Union of Moroccan Workers and Democratic Labor Confederation (the latter linked to the Socialist Party) called general strikes. The latter's work stoppage in June 1981 degenerated into civil disorder in Casablanca and, to a lesser extent, in Rabat. Government forces restored order. Many demonstrators were killed, some reports alleging as many as several hundred. Numerous arrests followed, together with trials of those accused of fomenting or taking part in the disturbances. A number of those implicated have now been released from detention, and the Confederation shows signs of rejuvenation; almost all its regional offices have reopened.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There is no evidence of killing for political motives either by the Government or opposition political organizations. There have been no credible allegations of such politically-motivated murders.

b. Disappearance

Pretrial detention is common. Amnesty International has alleged that there have been abductions, detentions, and secret arrests by official and semi-official government forces, but such charges have not been proven. Also, there were allegations but no proof of Moroccan Government involvement in the Paris kidnapping of antiregime activist Khadiji Bourequat during the fall of 1982. Bourequat, a French citizen, reappeared approximately one week after her abduction.

c. Torture

As in previous years, in 1982 there were sporadic charges that Moroccan prisoners were beaten and tortured, but there was no corroboration of instances of such abuses. In a special 1982 report on Morocco, Amnesty International concluded that ill-treatment and torture in Moroccan police detention centers have "frequently taken place and may be occurring routinely." Freedom House, in its annual report for 1982, said, "In the past, torture has been quite common and may continue." Although there continue to be intermittent reports of harsh interrogation methods by local law enforcement officials, the Moroccan Government does not condone such methods. Despite the large numbers of arrests which took place after the June 20, 1981 disturbances in Casablanca and Rabat, no substantiated accusations of torture of these detainees were registered.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Following a hunger strike in one Moroccan prison and an effort by Moroccan and European human rights activists to bring prison conditions and the state of health of some detainees to the attention of the Government, the Prime Minister and Minister of Justice in 1980 ordered an investigation of sanitary and health conditions at several Moroccan prisons. Subsequently, the Government announced the release of about 140 prisoners in March and July of 1980. While expressing the view that medical care in Moroccan prisons "could be greatly improved" in certain areas, Amnesty International's May 1982 report on Morocco described living conditions in Kenitra Central Prison, where most prisoners of conscience are held, as "reasonably good."

There were no allegations of discrimination among prisoners based on sex, race, or nationality.

Since 1973-1974, when approximately 30 persons were tried and executed for high treason and crimes against the state, no persons have been executed for crimes against the state.

e. Arbitrary Arrest and Imprisonment

Several thousand Moroccans were arrested or detained after the coup attempts of 1971 and 1972 and the disturbances of early 1973. Most of those accused in the coup attempts were military personnel tried in military tribunals. Some were summarily executed. Approximately 100 military personnel were sentenced to prison terms, of whom a few who were sentenced to one or two year terms in 1971 were released after completing their sentences. Most of these military prisoners have been held incommunicado since 1973. Amnesty International's special 1982 report on Morocco stated that these prisoners have been held under "inhuman" conditions and that as many as fifteen of them have died in custody, partly as a result of extremely unhealthy conditions and lack of medical care. The Government has not disclosed the location of those prisoners and does not permit them to communicate with their families. As of 1982, at least 40 who had completed their sentences -- some as many as eight years earlier -- had not yet been released. There may be a small number of others who have never been tried. Many of the civilians implicated in the 1973 disturbances were held for prolonged periods without trial. However, the number of detainees was significantly reduced by trials, releases, and amnesties subsequent to 1973. After the June 20, 1981, civil disorders in Casablanca and Rabat, 1,100 persons were reportedly arrested in Casablanca, nearly 100 in Rabat, and scores of others around the country. Included in these numbers were members of the Socialist Party and the Democratic Labor Confederation charged with inciting to riot. The large majority of those arrested have been tried in open court. For those convicted, the sentences ranged principally between one month and one year; in many cases the sentences were suspended. There were numerous allegations, especially from French socialist sources, that the party and confederation members (especially those absent from the scene of the rioting and from Casablanca and Rabat) were the subject of politically-motivated arrest and prosecution. On the other hand, the Moroccan Government maintained, in many instances with the concurrence of the courts, that persons in these categories charged with inciting to riot had been active in planning and/or creating the atmosphere in which the riots took place.

Another approximately 100 young Moroccans were arrested and detained without trial in the spring of 1977 on charges of taking part in clandestine and subversive leftist activities. All but 14 have since been released, and the 14 have undergone trial.

Arrests under government regulations predating the present Constitution in connection with April 1979 strikes were strongly criticized by the political opposition.

In September 1981, the five active members of the Socialist Party politburo were arrested after publishing a tract critical of the King's acceptance of the Nairobi II resolutions on the Western Sahara, to which the Moroccan Government had acceded. Several, including Socialist Party Secretary-General Abderrahim Bouabid, were arrested by police officials without the required warrants. The Government charged the five socialist leaders with disturbing public order. They were found guilty at a public trial fully covered by local and foreign journalists but with foreign human rights group observers excluded. Two received sentences of one year in prison; the other three received suspended sentences. In March 1982, King Hassan pardoned those leaders convicted of publishing the communique and those detained were released.

There are probably between 200 and 300 prisoners in Morocco who have been convicted of political crimes, approximately the same number as at the end of 1981. Included in this number were members of the Socialist Party and Democratic Labor Confederation who received prison sentences without having been shown to be physically proximate to the June 1981 disturbances in Casablanca and Rabat. Not included in this number are the bulk of those detained consequent to the disturbances, against whom there was evidence of actual involvement in the disorders. About half of the present political prisoners were convicted in the highly publicized Casablanca trials of 1977, at which outside observers were present.

f. Denial of Fair Public Trial

The Moroccan criminal court system operates basically on the French model. The defendant has the right to counsel of his choice. He is charged in the initial stages of the proceedings; and charges, generally speaking, are formally and clearly stated. Some foreign observers have complained that charges are not always clear. Civil tribunals have responsibility for hearing cases lodged against civilians. Avenues of appeal are well-established and may extend as high as the Moroccan Supreme Court and the King.

With the principal exception of some of the roughly 100 young persons arrested in June 1977, most of whom have been released, persons detained for anti-government activities since 1972 have been tried in open court. In the case of the July 1981 trials resulting from the June 20, 1981 riots and the Socialist Party politburo trials, there is general if not unanimous agreement that normal Moroccan courtroom procedures were in the main followed, although there is less unanimity on the substantive aspects of the proceedings. A report of the International Commission of Jurists on one of the 1981 riot-related trials commented that the mass trial of 73 defendants fell short of international standards in many ways and criticized the length of pre-trial detention, the "doubtful validity" of police statements, the lack of time available for each individual case, the court's refusal to permit witnesses for the defense, and "the general climate of repression and violence surrounding the trial." Similar complaints were made by Amnesty International in its special 1982 report on Morocco.

g. Invasion of the Home

There have been sporadic press reports of intrusions into private homes by officials without observance of legal safeguards protecting individuals from arbitrary searches, but there is no evidence of pervasive abuse. It is clear, however, that the Socialist Party Secretary-General Bouabid was arrested in his home in 1981 without a proper warrant.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

These freedoms are guaranteed under the 1972 Constitution. Internal press censorship was lifted in 1977. Criticism by the media of the administration, social conditions, and all institutions (with the notable exceptions of the monarchy, Islam, and Morocco's claims to sovereignty over the Western Sahara) is commonplace. While advance censorship is forbidden, the distribution of publications containing articles critical of the monarchy has been occasionally prevented. Also, in the wake of the June 20, 1981 disorders, publication of the Socialist Party's two organs ("Al-Moharrir" and "Liberation") was suspended because of their alleged incitement to violence. The two newspapers of the Communist Party (Party of Progress and Socialism) continue to be published daily and provide trenchant criticism of government policies with which they disagree.

While foreign journals are available, they are occasionally withheld from wide distribution, and the Government has apparently prevented or inhibited the distribution of certain critical academic and artistic works, including "Amazigh," a periodical edited by Mahjoubi Aherdane, son of the Moroccan Minister of Cooperation, which was designed to popularize Berber language and customs. Apparently fearing that the purpose of the review was to foster Berber nationalism, the Government suspended its publication after the appearance of the first issue in June 1982.

b. Freedom of Peaceful Assembly and Association

In November 1978 a six year old ban on the National Union of Moroccan Students was lifted and that organization became active again. The Union returned to relative inactivity after student demonstrations were quelled on various university campuses, including Mohammed V University in Rabat, during December 1981. Approximately 100 students, including the core of the leadership of the Union, were detained, and, in a series of trials during the first half of 1982, those convicted received sentences of up to three years. Professional, academic, and scientific groups are numerous.

The Constitution guarantees citizens the right to join trade unions and unions the right to strike. The Moroccan Confederation of Trade Unions is one of the oldest and largest labor movements in Africa. Several other union confederations are involved in labor activities in competition with this confederation.

While several activist members of the Socialist Party were prevented from representing the Democratic Labor Confederation at an international labor conference in Madrid in the spring of 1982, the Government has adopted a more permissive attitude toward the Confederation in recent months, and the union shows signs of revitalization. The Confederation now seems more hampered by internal divisions than by government hostility.

The Constitution repeatedly affirms the equality of all Moroccans before the law and specifically provides that "men and women enjoy equal political rights" and that "every citizen, male and female, has the right to vote." While men and women in this Islamic society constitute largely separate subcultures, French educational traditions have opened some doors to Moroccan women, mostly in urban areas, while the role of women in the predominantly rural and traditional Muslim environment remains restricted, as it has been over the centuries. No woman has ever held a cabinet position in Morocco, nor is there any woman in the 264-member Parliament.

Women were, however, elected to the Saharan Consultative Council in voting in the Western Sahara in August 1981. Furthermore, a magazine dealing exclusively with women's issues began publication in 1982.

The Government has also supported labor and family planning projects designed to improve the lot of women, with growing success.

c. Freedom of Religion

The Constitution states that "Islam is the religion of the state. The state guarantees the individual's freedom of worship." Islam does not differentiate church from state; political, social, economic, and religious attitudes are intertwined. While religious freedom is guaranteed, proselytizing by non-Muslims is not permitted. Despite Morocco's history of religious toleration, large numbers of its Jewish community voluntarily left the country after the 1967 and 1973 Arab-Israeli wars; about 20,000 remain in the country, and the Government has urged others to return. Relations with Christian churches and especially the Roman Catholic church, which ministers to some 100,000 foreign residents, are cordial. While these churches are not permitted to proselytize, they have been encouraged to operate schools, hospitals, and other institutions. Roman Catholic archdioceses are centered in Rabat and Tangier. There are also Anglican and Protestant churches operating freely within the country.

There were isolated reports in 1982 of harassment of Jews in Morocco, e.g., in August, officials at Casablanca were reportedly delaying the processing of persons of Moroccan

Jewish extraction who had French passports. However, the Moroccan Government has made it clear that it is opposed to any discrimination against the Jewish community in Morocco. There has been no recurrence of such reports since last August, and none of them dealt specifically with Jews of current Moroccan nationality.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Freedom of movement is unrestricted throughout Morocco, but not in those areas of the Western Sahara contested militarily. Foreign travel for political reasons was sometimes restricted in years past, but was not in 1982. However, persons without means or other influence frequently encounter delays in obtaining passports. Also, the difficulty of obtaining foreign currency imposes significant practical limitations on would-be travelers. There are no formal restrictions on emigration.

Morocco encourages voluntary repatriation in two important instances. Members of the Moroccan Jewish community who voluntarily departed the country following the 1967 and 1973 Arab-Israeli wars have frequently been encouraged to return to Morocco. Those members of the Sahrawi population who migrated to Algeria following the 1975 Saharan evacuation of the Western Sahara have also been encouraged to return. The Government has a policy of accepting refugees, although no large scale refugee problem exists in Morocco. The Moroccan policy on political asylum follows West European practices.

The Government does not use exile as a punishment, but some political dissidents live in self-imposed exile. In August 1980, on the anniversary of Mohammed V's departure for exile, clemency was accorded to twenty-four Moroccans residing outside the country who were under sentence or for whom warrants had been issued. Two members of the Socialist Party - Union Socialiste Des Forces Populaires - were outside Morocco in September 1981 when the remaining active members of the party politburo were arrested, tried, and sentenced. Their return to Morocco has not been hindered; one of these, Abderrahman Youssoufi, is currently active in Union Socialiste Des Forces Populaires and Democratic Labor Confederation politics in Morocco.

e. Freedom to Participate in the Political Process

All major parties, from Communist to Royalist, have representatives elected to the legislature and to municipal councils, and a large number of parties participated actively in two national referenda held in 1980. Likewise, elections to a consultative council were held in the Western Sahara in May 1981, with wide suffrage and 285 candidates for 81 available seats. Freedom House, in its report for 1982, describes recent Moroccan elections as "fair and well-contested" but said that "results of the 1980 referendums were more questionable."

There is considerable opportunity for meaningful participation in Morocco's political life. Diverse and well-organized groups are now functioning. Suffrage is universal. Five major political parties plus smaller groups have elected representatives in the national legislature: the Government coalition parties -- the Constitutional Democrats, the nationalist Istiqlal (Independence), and the Berber-centered Popular Movement; two long-time opposition parties (the Socialist and the Communist Party); and the royalist National Grouping of Independents, which is officially designated as an opposition group but tends to support the Government. The Socialist Party, which joined the October 1981 session of parliament under protest and on a limited basis, is no longer refusing en bloc to participate fully. One of its deputies has been elected an officer of parliament in the current session.

Because of government harrassment for its involvement in the June 20, 1981 general strike call and its thinly veiled attack on the monarchy over the handling of the Western Sahara, the Socialist Party's voice has been somewhat muted over the past year. The Moroccan Communist Party, however, openly and vigorously continues to criticize the government's policies in Parliament, in local municipal councils and in its press. The 1980 national referendum, which extended by two years the term of the legislature and extended the tenure of the presidency of the legislature from one to three years, was hotly contested by opposition parties hoping to gain seats in the national elections scheduled for 1981. The measure, however, passed easily.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

There were no known incidents from 1974 to 1982 in which Morocco refused to permit outside groups into the country to investigate alleged human rights violations. Amnesty International and other civil and human rights groups have been permitted to send observers to trials, and these observers have been received by officials of the Moroccan Government. In January 1978, the Minister of Justice publicly invited Amnesty International or any other humanitarian organization to send impartial observers to visit Moroccan courts and prisons. In 1979, the Prime Minister offered to a visiting Western European legislator to make any prison available for inspection by appropriate persons.

The Moroccan Government allowed attendance by foreign observers interested in human rights at the trials in July 1981 growing out of the June 20, 1981 civil disturbances in Casablanca and Rabat. However, the Government expelled five lawyers, including a representative of the International Commission of Jurists, who had arrived to observe the trials. In the September 1981 trials of the five Socialist Party politburo members, American, French, and Spanish observers were unable to gain access to the proceedings. There were no reports, however, that local or foreign journalists were refused access to either the trials stemming from the June 20 disturbances or to the Socialist Party politburo proceedings.

Visits by human rights activists to Morocco noticeably decreased in the last half of 1982. In January 1982 two Belgian human rights advocates were requested to leave the country after they publicly proclaimed on their arrival that they had been deputized by the World Labor Federation to examine human rights violations in Morocco.

The Moroccan Government reacted vituperatively to a May 1982 report of Amnesty International on Morocco which said that Moroccan authorities are breaking their own laws and international agreements by holding prisoners incommunicado for months or years; torturing many prisoners; failing to account for hundreds of other prisoners, some of whom had died in "appalling" and "inhuman" prison conditions; and imprisoning many people for exercising their right to free expression. Government defenses against the specific charges tended toward reiteration of legal protections and statutory norms which the Government of Morocco guarantees in writing. However, the general outline of the charges leveled by Amnesty were broadly disseminated within the kingdom and debated by press and public. Freedom House, in its 1982 assessment, categorized Morocco as "partly free."

Two human rights associations, the League for the Defense of Human Rights (affiliated with the Istiqlal Party) and the Association for Human Rights (affiliated with the Socialists), now operate in Morocco. Partially due to the efforts of these two organizations, the Government undertook an investigation of health and sanitary conditions at several Moroccan prisons in 1980 and subsequently released some 140 prisoners. The two organizations have consistently condemned all forms of human rights violations, and have repeatedly called for the observance of rights defined in the Universal Declaration of Human Rights.

4. Economic, Social, and Cultural Situation

Aware of social tensions after several years of decreased real economic growth and sharply reduced public spending, Morocco's parliamentarians approved a moderately stimulative 1981-85 Five-Year Plan designed to foster renewed economic growth and an improved standard of living for the country's citizens. Although off to a feeble start, the new plan still envisages a 6.5 percent real GDP growth rate, the creation of more than 900,000 jobs and an increase in per capita income from $870 in 1981 to $926 (in 1981 dollars) by 1985. In addition to job creation -- Morocco's restrictively defined unemployment rate may currently be as high as 13 percent -- the plan's development targets include (1) a concerted effort to reduce socioeconomic disparities and improve the quality of rural life through increased focus on agricultural development and social services and (2) an economic decentralization scheme designed to attract labor-intensive small and medium-sized industries to provinces suffering from a dearth of jobs and economic products.

The Moroccan economy registered negative growth in 1981, and it now appears doubtful that many of the plan's targets can be met. The worst drought in recent memory drastically curtailed agricultural yields in 1981/82, forcing Morocco to divert large amounts of scarce financial resources from planned development projects to pay for abnormally large amounts of imported grain. Since then, a sharp drop in the world price for phosphates has meant a 28 percent loss in valuable foreign exchange earnings for Morocco's principal export. At the same time, Moroccan financial managers have been forced to expend greater amounts for imported energy and debt service, both of which are payable in sharply appreciated U.S. dollars. All of this has resulted in an increasingly bleak economic outlook likely to force reductions in many social programs at a time when popular expectations for a better living standard are rising.

Nonetheless, the Government moved quickly and effectively within its means to combat the most serious socioeconomic effects of the current economic downturn. Morocco imported and distributed sufficient grain in 1981 and early 1982 to ensure adequate food at subsidized prices. The government also allocated some $260 million in credits to rural municipalities for small irrigation and social infrastructure projects, many of which would not have been initiated until much later in the Five Year Plan. These projects provided temporary employment for bankrupt farmers and newly-unemployed agricultural dayworkers, permitting them to stay on the land for the next planting season instead of flocking to the already overcrowded cities.

Serious maldistribution of income remains a problem. Although per capita income was $870, a full 40 percent of the population -- predominantly in rural areas -- lives at or below subsistence income levels.

The Government continues to build new educational facilities throughout the country, particularly vocational institutes in the cities and primary schools in rural areas. Enrollment in primary schools has increased over the last year, and secondary enrollment is growing faster than that in the lower grades. The most recent literacy rate estimate is 28 percent in 1975, compared to 21 percent in 1970. An estimated 90 percent of boys and 54 percent of girls attend primary school for at least some period, a considerable improvement over the 67 and 36 percent figures in 1970.

The infant mortality rate in 1980 was 107.2 per 1,000 live births, and average life expectancy was 56.5 years. The population was growing at an annual rate of 3.0 percent in 1980. In 1970 51 percent of the population had access to safe water. Several public health centers are under construction in rural areas, and a large modern university medical complex is being built in Casablanca. At the end of 1980, Morocco had approximately 23,000 hospital beds, or one for every 790 people. Both educational and health service programs, however, are hampered by inadequate professional and administrative staff. The Government is endeavoring to rectify this problem in conjunction with major bilateral and multilateral donors.

To ensure adequate nutrition for the average Moroccan, the Government subsidizes such basic staples as flour, bread, butter, cooking oils, and sugar. Caloric intake in 1980 was 105 percent of requirements, but the diet of the average Moroccan is heavily weighted to carbohydrates and rather low in protein.

Women continue to make measurable strides in this conservative Islamic society. Overall enrollment of girls and women in the nation's educational institutions continues to grow rapidly, and females make up 30 percent of all primary school students, more than 40 percent of those in secondary school, and 25 percent of university students. The enrollment of women and girls in rural areas remain an exception, however. Although the Government has made educational facilities available to a large percentage of rural females, traditional attitudes and religious precepts work against government efforts in this field. Employment opportunities for women, while remaining limited, continue to expand, at least in the modern sector, and the Government makes particular efforts to train female workers.

Western Sahara

In modern times the former Spanish Sahara has been under Moroccan administration since the Madrid Accords of 1975 and Mauritania's renunciation of its claims and withdrawal from the southern third of the territory in 1979. Municipal, provincial, and parliamentary elections were held in the Moroccan-controlled portion in 1977, when polling took place throughout Morocco. Full communal elections were held in Oued Eddahab (the southern one-third of the Sahara) on May 8, 1981. By-elections were held for vacant parliamentary seats on May 19, 1981, and the level of voter participation for the four contested Saharan seats ranged from 76 to 93 percent. The native Moroccan Saharans occupying the ten seats in parliament allotted to the four Saharan provinces include the present Secretary of State (Junior Minister) for Saharan Affairs and two Vice Presidents of Parliament. There are at least three other Saharans in parliament: two directly elected from Tan Tan Province just north of the former Spanish Sahara, one of whom is President of Parliament, and one indirectly elected as a Trade Union Representative.

Three of the royally-appointed provincial governors are Sahara natives. In consultation with the elected municipal and provincial councils, the four governors administer their Saharan provinces in the same manner Morocco's 36 other provinces are governed. Most village and civil servants are also locally recruited Saharans. The royal armed foces, a sizeable portion of which are stationed near Saharan towns, play no direct role in civil administration. The governors are primarily concerned with the accelerated development of economic infrastructure and delivery of social services in the Sahara. Massive public works projects continued in the Sahara in 1982, providing more schools, hospitals, and public services to a long-impoverished area. Elections were also held in August 1981 for an 80-member consultative council for the Sahara. The council, some of whose members are women, held its first session in late 1981 and continued to function in 1982.

Agreement was reached at the summit of the Organization of African Unity held at Nairobi in August 1981 on the general outlines of measures leading to a peaceful settlement of the Sahara problem. Under the terms of this agreement, Morocco agreed to the negotiation of a ceasefire under the organization's auspices and to international supervision of a referendum to be held in the Sahara through which the Saharans would choose between independence and integration into Morocco. Implementation of the agreement remains to be worked out in the Organization, the UN, and between the parties to the conflict.

In the portion of the Western Sahara under Moroccan control, no reports of violations of human rights have been received during 1982. All population centers are behind the berm (defensive sand barrier) and have been protected from the attacks of Polisario insurgents by Moroccan military forces. The bulk of the Moroccan forces are in isolated locations defending the berm and do not interact directly with the population except as a positive economic force. The overall level of military activity in the Western Sahara in 1982 has been at its lowest since 1975. Opportunities for obtaining information on or evaluating the human rights practices of the Polisario have been non-existent.

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U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
             (U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: MOROCCO
                                  1980      1981      1982
----------------------------------------------------------------

I.ECON. ASSIST.-TOTAL...          27.1      55.8      62.9
     LOANS..............           5.8      25.0      35.0
     GRANTS.............          21.3      30.8      27.9
 A.AID .................           9.1      12.1      11.7
     LOANS..............           0.0       0.0       0.0
     GRANTS.............           9.1      12.1      11.7
   (SEC.SUPP.ASSIST.)...           0.0       0.0       0.0
 B.FOOD FOR PEACE.......          15.7      41.2      48.4
     LOANS..............           5.8      25.0      35.0
     GRANTS.............           9.9      16.2      13.4
 TITLE I-TOTAL..........           5.8      25.0      35.0
  REPAY. IN $-LOANS.....           5.8      25.0      35.0
  PAY. IN FOR. CURR.....           0.0       0.0       0.0
 TITLE II-TOTAL.........           9.9      16.2      13.4
  E.RELIEF.EC.DEV & WFP.           0.0       1.4       2.7
  VOL.RELIEF AGENCY.....           9.9      14.8      10.7
 C.OTHER ECON. ASSIST...           2.3       2.5       2.8
     LOANS..............           0.0       0.0       0.0
     GRANTS.............           2.3       2.5       2.8
       PEACE CORPS......           2.3       2.5       2.8
       NARCOTICS........           0.0       0.0       0.0
       OTHER............           0.0       0.0       0.0

II.MIL. ASSIST.-TOTAL...          25.9      34.4      31.1
     LOANS..............          25.0      33.4      30.0
     GRANTS.............           0.9       1.0       1.1
  A.MAP GRANTS..........           0.0       0.0       0.0
  B.CREDIT SALES-FMS....          25.0      33.4      30.0
  C.INTL MIL.ED.TRNG....           0.9       1.0       1.1
  D.TRAN-EXCESS STOCK...           0.0       0.0       0.0
  E.OTHER GRANTS........           0.0       0.0       0.0

III.TOTAL ECON. & MIL...          53.0      90.2      94.0
     LOANS..............          30.8      58.4      65.0
     GRANTS.............          22.2      31.8      29.0
----------------------------------------------------------------
OTHER US LOANS..........          10.5      22.3      16.6
 EX-IM BANK LOANS.......          10.5      22.3      16.6
 ALL OTHER..............           0.0       0.0       0.0
----------------------------------------------------------------
ASSISTANCE FROM INTERNATIONAL AGENCIES
                  1980      1981      1982      1946-82
---------------------------------------------------------------
TOTAL........    193.5     387.7     165.3     2180.0
IBRD             146.0     363.0     135.0     1908.5
IFC               16.5      15.5       2.3       62.0
IDA                0.0       0.0       0.0       52.6
IDB                0.0       0.0       0.0        0.0
ADB                0.0       0.0       0.0        0.0
AFDB               0.0       0.0       0.0       25.8
UNDP               5.0       0.2       0.0       52.1
OTHER-UN           0.0       6.7       0.0       22.0
EEC               26.0       0.0      30.0       56.0
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NEPAL

Nepal's Constitution specifies that the King (Chief of State) is the sole source of authority for all government institutions in Nepal. The King exercises ultimate control over all major facets of government in fact as well as in name.

Recently, some signs of change have been developing. In the spring of 1979, a round of student demonstrations and anti-regime activities resulted in a call by King Birendra for a national referendum to decide on the nature of Nepal's government - either the continuation of the Panchayat system (tradition-based partyless system) or the establishment of a multi-party system. In a December 1979 speech, the King promised to amend the Constitution, and, in the event the Panchayat system was retained, to further democratize it.

The referendum was held in May 1980, and the partyless Panchayat system won. As he had promised, the King reformed the Panchayat system, providing among other things for direct election to the National Panchayat of most members on the basis of universal suffrage, and doing away with the previous indirect or tiered electoral system. The amendments also granted to the National Panchayat greater power than it previously had. A second round of voting, held in the spring of 1981, elected a new National Panchayat. The election was boycotted by most of the major political groups which had expressed dissatisfaction with the King's political reforms. Nevertheless, the election attracted a broad array of candidates and participation of 53 percent of eligible voters. Local and district elections were held throughout Nepal in May 1982.

The Council of Ministers (cabinet) functions as the executive arm of the government and gives policy advice to the King. Since 1980, the National Panchayat has been empowered to select a prime minister provided a candidate is able to win the support of 60 percent of the members. If no candidate receives that support, the Panchayat provides the King with a list of three names from which to choose the Prime Minister. In addition, the Council of Ministers is considered answerable to the Panchayat and the King.

Nepal is one of the world's poorest countries, with limited communications and significant development problems. Nonetheless, the current human rights situation has some encouraging elements. In recent years there has been a discernible, but gradual trend toward a society whose members enjoy most basic human rights. Citizens have been given the right to vote, enjoyed open elections with open debate, and now have access to newspapers which present opposition views. Criticism of the monarch or royal family is not permitted, but open criticism of the Government is. Nepalese politics has not been affect by a significant level of political violence.

During the past year, press coverage of the National Panchayat was permitted for the first time and extensive articles concerning the proceedings appeared in the local press. In July, the Government made no attempt to supress widespread public and press reaction to the death of B.P. Koirala, former Prime Minister, founder of the Nepal Congress Party, and leading opponent of the Panchayat system. Koirala had served several jail terms and had been in exile in India for advocacy of parliamentary democracy prior to his final release from prison in 1976. In recent months, the Government has placed increased priority on the decentralization of many governmental functions in an apparent move to make them more responsive to the people on a local basis.

The process of achieving a society where basic human rights are enjoyed is not yet complete, and there is room for considerable progress.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Despite a few unconfirmed reports of prisoners being killed while in custody, killing or political violence in general is not a major factor in Nepali politics. Neither police nor terrorist violence by the opposition is considered to be a national problem although rare incidents have occurred in earlier anti-government protests.

b. Disappearance

Opposition members have charged that some persons have disappeared while in custody, but these charges have not been confirmed. The Public Security Act of 1961 permits six months preventive detention before charges must be filed. In April, 1980 prior to the national referendum, King Birendra issued a general amnesty to those accused of political crimes; approximately 100 were released. In addition, 28 opposition leaders returned from exile. Oppositon critics claim that about 50 political prisoners remained in prison following the amnesty, although most of those were being held on criminal charges. About 70 political activists are believed to be still in exile.

c. Torture

Torture is prohibited implicitly by the Prison Act. Unsubstantiated allegations of torture of prisoners during the first days of incarceration have been made in the past by friends and fellow inmates. Close scrutiny of police practices is lacking and no known punishment has resulted from alleged acts of police brutality.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Police brutality and disappearance while in custody have been alleged by press articles and opposition members, but no summary executions have been confirmed. Places of detention reflect the generally low standard of living in one of the poorest developing countries; jail conditions vary according to the crime committed and the person's status, but all prisoners have access to medical attention and to the traditonal Nepalesediet. They are permitted visitors and goods from the outside. Generally, political prisoners have fared better than those convicted of criminal acts. Separate facilities are maintained for women and the criminally insane.

e. Arbitrary Arrest and Imprisonment

Nepal does not have the right of habeas corpus, but according to the Constitution, a suspect must be brought before a court within twenty-four hours and must be provided with the general grounds for the arrest or be released. An extension of seven days may be granted for completion of the police investigation. Those held in preventive detention are not accorded these rights, but must be charged within six months. Strict adherence to these principles is not the norm.

f. Denial of a Fair Public Trial

The law provides for the right to a fair public trial in most cases (some security and customs cases excepted), and this right is usually honored in practice. Except for those held in preventive detention, constitutional guarantees exist for the right to counsel and protection from double jeopardy and _ex post facto_ laws. Nationwide implementation of these stated guarantees remains a goal, but it is not always met. There is an association of lawyers. There are military and civilian courts with provisions for appeal. Civilians are not tried by military courts, although special courts may be established to try specific cases. Judges are appointed by the Government and decisions in political and security cases can reflect the opinion of the government. The Supreme Court is the court of last appeal. The King may grant pardons and set aside judgements.

g. Invasion of the Home

Except for those suspected of narcotics or security violations, search warrants issued by central district officers are required before search and seizure. Nepalese law and tradition bolster privacy of the home.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of speech and press, as set forth in the Constitution cannot be exercised in support of a political party or if those rights are judged by local authorities to be detrimental to the common good, the monarch, or members of the royal family. Journals and newspapers which overstep these guidelines are suspended from publication. In 1982, four publications were suspended, ostensibly for licensing violations or irregular appearance, but in fact for the political content of their news or editorials. Most newspapers have been allowed to carry on spirited criticism of the Government as distinct from the monarchy. The two largest circulation dailies in English and Nepali are government organs, but carry reports of some opposition activities and viewpoints. In the latter part of 1982 the Government followed a very liberal policy regarding the licensing of new newspapers. Scores of new weeklies and dailies have been licensed; they now number some 180 in the Kathmandu Valley alone. The circulation of many of these is very small (less than 100 issues). Although international news magazines are banned occasionally for articles considered derogatory to the Government or to the monarchy, the relatively large number of travelers to and from India and the West makes effective control of foreign reading material impossible.

b. Freedom of Peaceful Assembly and Association

Regulations promulgated in 1980 by King Birendra permit local authorities to prohibit meetings, speeches, and posters if they are not found to be "for the convenience or good of the general public." They also cannot be in support of a political party or detrimental to the monarchy, relations among the people, or national security. As in the 1981 National Panchayat campaigns, the 1982 local and district panchayat contests included large numbers of speeches, rallies, and posters with little interference from local authorities. Enforcement procedures have tended to preserve the freedoms enjoyed during the 1980 referendum campaign. During 1982 there were occasional reports of student arrests related to public demonstrations; it remains unclear as to why such arrests were ordered. These arrests became an issue in the National Panchayat when members publicly called for an explanation, which was not provided.

Unions are prohibited by statute although associations approaching union status have been formed. Despite government and business opposition, these groups have achieved some limited gains. They have staged several group actions, including a widespread strike in 1981 by elementary and secondary school teachers. More recently, the Association of Bus and Taxi Drivers threatened to strike, with one of its key demands being recognition of the Association. This strike failed to materialize, although the demands were not met.

c. Freedom of Religion

Religious toleration is a Nepalese tradition even though officially the country is a Hindu kingdom. Any religion may be freely practiced in Nepal; however, conversion from Hinduism or Buddhism is against the law as is foreign proselytization. Non-indigenous religious literature is confiscated if distributed free of charge, but may be purchased in book stores. Hinduism is generally viewed by the Government as a means of creating and maintaining national unity. During the last Nepalese census there were complaints concerning census takers who reported families as Hindu without inquiring about their actual beliefs. The religiously-based caste system has been legally abolished. However, the military and civil service continue to be dominated by upper caste Nepali-speaking Hindus whose socio-economic position gives them greater access to education and influence than lower caste groups and ethnic and religiou minorities.

d. Freedom of Movement within the Country, Foreign, Travel, Emigration, and Repatriation.

There are no general restrictions on travel within the country for Nepalese citizens although several areas have been restricted for travel by foreigners. Voluntary repatriation of Nepali citizens is not hampered by government interference. Passport issuance is tightly controlled by means of slow processing, short validity, and country restrictions.

Twelve thousand Tibetans are estimated to have entered Nepal since the 1950's. Most have settled in camps throughout the country with the largest located near Kathmandu and Pokhara. The Government of Nepal, the United Nations, and foreign governments have assisted in their resettlement. Many have become successful businessmen. Although many have met the twelve-year residency requirement for Nepalese citizenship, the number who have become Nepali citizens remains small, and those who have acquired citizenship continue to complain that they are discriminated against, particularly in the issuance of travel documents. Tibetans may travel freely in both directions across the Tibet-Nepal border.

e. Freedom to Participate in the Political Process

Heeding the results of the 1980 national referendum, which endorsed continuation with reforms of the partyless Panchayat system, the King announced reforms to the Constitution which allow voters to select 112 members of the Rastriya Panchayat (National Assembly) while the King appoints an additional 28. Electoral districts are based on geographical divisions providing over-representation for the hill districts in comparison with the more populous valley and Terai (southern) districts.

Nationwide local and district elections were held in May and June 1982 in accordance with provisions of the third amendment to the Constitution. For the first time in Nepalese history, directly-elected representatives filled the seats of the various levels of the panchayat system. Local issues dominated the polling which drew slightly fewer voters than the 1981 elections in which 53% of elegible voters chose among 1,096 candidates for the 112 National Panchayat seats. Candidates ran as individuals.

Political parties are banned by the Constitution, although opposition groups exist and publicize their opinions in the press. The largest opposition groups, the Nepal Congress Party and the pro-Chinese factions of the Nepal Communist Party boycotted the 1981 election, although many supporters of these parties participated in the 1982 local elections, in some cases as candidates. Women's legal and social status in Nepal is a reflection of the conflict between modern and traditional values. Unexpectedly large numbers of women cast votes in the general election, but only two of thirty-four women candidates were elected to the Rastriya Panchayat. The only woman minister holds the portfolio of Minister of State for Labor and Social Welfare. Approximately ten percent of the members of the local panchayats are women. The limited participation of women in politics seems to be a result of social values and lack of education and time rather than of official repression or discrimination.

The Constitution prohibits discrimination on the basis of sex but supports laws based on traditional values. Nepalese women made legal gains during the International Women's Year when the national Government liberalized divorce and child custody laws and strengthened protection of women's inheritance and property disposal rights. The third amendment to the Constitution provided for naturalization of foreign spouses of Nepali men for the first time. The gap between legal provisions and reality persists,with women unaware of their rights and with continuing inequities, especially in family law, the area most resistant to legislative change. Current development plans call for increasing female primary school enrollment from its present 27 percent and for improving the lives of rural women through the cottage industry, family planning, and health service programs.

3. Government Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

No international human rights organization is known to have requested permission to come to Nepal since the visit of Amnesty International representatives in 1977. Amnesty International has expressed concern in the past about the state of human rights in Nepal and has sponsored political prisoners, some of whom were subsequently released.

There are two human rights organizations in Nepal which work with Amnesty International, regional human rights groups, and other minor groups. They disseminate their views in public meetings, newspapers, and pamphlets. There are no reports of attempts to suppress them.

4. Economic, Social, and Cultural Situation

Nepal's economic development has been hampered by geographical and demographic problems compounded by self-imposed isolation before 1951. These problems are offset only partially by the country's major resources -- cheap labor, tourist attractions, and largely undeveloped hydroelectric power. Eighty percent of Nepal's land is hilly or mountainous, creating a high population density on its arable land. Population pressure on the country's limited resources has resulted in recent years in rapid deforestation, serious erosion, and loss of soil fertility.

Nepal's current population is estimated to be approximately 15 million people. Current population growth is estimated at approximately 2.7 per cent annually, increasing the pressure on food supplies and social services. Nepal's ratio of population to arable land is one of the world's highest. Nepal's per capita income is estimated to be approximately $140 per annum placing it among the world's poorest countries. Life expectancy is currently estimated at 44 years with the average for women being slightly lower. Infant mortality is estimated at a relatively high 150 deaths per 1,000 live births.

The literacy rate for Nepal is approximately 20 percent. This figure has increased in conjunction with the increased enrollment in primary schools which is currently estimated at 87 percent of school-aged children.

Of the total population, only an estimated 10 percent has access to relatively safe drinking water. The ratio of calorie supply available for consumption relative to nutritional requirements is estimated at about 91 percent. Approximately 60 percent of the population is believed to live below the absolute poverty level. Over 90 percent of Nepal's population lives in rural areas where many of the economic and social indicators referred to above are less favorable.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: NEPAL

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	20.6	19.8	18.9
LOANS..............	0.0	0.0	0.0
GRANTS.............	20.6	19.8	18.9
A.AID	13.4	14.0	15.5
LOANS..............	0.0	0.0	0.0
GRANTS.............	13.4	14.0	15.5
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	5.7	4.3	1.7
LOANS..............	0.0	0.0	0.0
GRANTS.............	5.7	4.3	1.7
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	5.7	4.3	1.7
E.RELIEF.EC.DEV & WFP.	5.7	4.3	1.7
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	1.5	1.5	1.7
LOANS..............	0.0	0.0	0.0
GRANTS.............	1.5	1.5	1.7
PEACE CORPS......	1.5	1.5	1.7
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.1	0.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.1	0.1
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.1	0.1
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	20.6	19.9	19.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	20.6	19.9	19.0
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	115.1	61.6	55.8	637.2
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	6.2	9.3
IDA	60.0	0.0	0.0	261.4
IDB	0.0	0.0	0.0	0.0
ADB	42.7	46.8	36.9	276.7
AFDB	0.0	0.0	0.0	0.0
UNDP	6.0	11.3	0.0	58.6
OTHER-UN	4.4	3.5	12.7	31.2
EEC	0.0	0.0	0.0	0.0

SULTANATE OF OMAN

Oman is an absolute monarchy, with no elected bodies or trade unions; freedom of speech and assembly are circumscribed. In 1981, however, the Sultan formed a consultative council which -- even though its members are appointed by the government -- is broadly representative of the population. Its scope at present is limited to economic and social development issues.

Almost toally undeveloped when Sultan Qaboos came to the throne in 1970, Oman has used its modest oil revenues effectively to foster national social, economic and political development. In the southern province of Dhofar a major insurrection supported by the People's Democratic Republic of Yemen (PDRY) with some Soviet and Chinese backing was defeated in 1976, but continued hostility from the PDRY forced Oman to devote much of its revenues to defense. Nonetheless, the government has achieved significant improvement in the living standards of its people. Political development is still embryonic.

Although the human rights situation in Oman includes problems, there have been improvements in recent years. Formal codification of civil and political rights is lacking, but in practice the government is reasonably accessible to the people.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no known political or military killings of civilians in Oman in recent years.

b. Disappearance

There were no allegations of disappearances in 1982.

c. Torture

The Omani criminal code prohibits torture, and this prohibition appears to be observed in practice.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Corporal punishment is not practiced; the physical penalties prescribed by Islamic Law are commuted by the government to prison terms. The few executions in recent years have been of convicted murderers. While some local detention facilities are inadequate, the major prison is modern and relatively healthful.

e. Arbitrary Arrest and Imprisonment

Omani law does not specifically include habeas corpus or its equivalent, but the criminal code imposes penalties for unjustified arrest and detention by the authorities. In practice, the period of detention before trial is usually very short. Citizens have several channels through which to petition for redress of grievances, and these appear to function well. Abuses of the police power of arrest have occurred. There are also reports of petty arbitrariness, usually by law enforcement officials in outlying districts who exceed their legal mandate. The Government of Oman has publicly neither acknowledged nor denied the holding of political prisoners. However, there are no reports of Omanis in prison merely for organizational affiliation (though membership in unauthorized organizations is a criminal offense). A few insurgents from the Dhofar insurgency (1965-76) are reportedly still under detention.

f. Denial of Fair Public Trial

Islamic law prescribes a fair and speedy trial before experienced and impartial judges, and judicial practice in Oman appears to conform to this prescription. There is no right to a jury, to counsel, or to a public trial. However, observers who bear some relationship to the defendant have generally been permitted to attend trials. The defendant is formally charged at an initial hearing, before a magistrate of the police court in the capital area or a local governor in outlying areas. The case is either resolved at that level, or referred to a higher or specialized court. The defendant may call and question witnesses, but may not appeal the venue of the trial. If convicted, he may appeal his case to the chief magistrate of the police court system or to the appellate court of the Islamic court system, and ultimately to the Sultan in the case of serious offenses. The various judicial systems are subordinate to the Sultan, but in practice they operate fairly independently. There are no political or security courts, and military courts try only military personnel.

g. Invasion of the Home

Warrants are not required for police searches of private premises. Such searches, and probably instances of electronic surveillance as well, appear to be infrequent and to involve cases where the government perceives a security threat or when smuggling (especially of arms and narcotics) is suspected.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Criticism of the Sultan is prohibited by law, and there are no legal guarantees of free speech or freedom of the press. Criticism of individual officials and agencies is tolerated, but is not accorded media exposure. Although the government does not practice prior censorship, editorials by the media, both private and government-owned, almost invariably reflect official views. The government holds a monopoly on radio and television broadcasting, and publishes the only two daily newspapers. Subsidies to the several privately-owned weekly and bi-weekly publications provide effective incentive to self-censorship, and arrests or closures for offensive articles have occurred. Publications from abroad are censored for politically or sexually offensive material and are occasionally banned; generally, only articles that directly attack or embarrass the Omani government are excised. Academic freedom is not an issue as there are no institutions of higher education.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly is not guaranteed. All associations must register with the government, and those which oppose the political system of the Sultanate are prohibited. Labor unions and strikes are illegal, and there are no professional groups of note.

c. Freedom of Religion

Oman is officially an Islamic state, and virtually all Omanis are Muslims. The majority Ibadhi Muslims do not discriminate against other Muslims. Non-Muslims are allowed to practice their religion freely and to build houses of worship. They are not subject to discrimination, but may not proselytize. On the other hand, conversion to Islam is encouraged, publicized, and rewarded.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Omanis living abroad before 1970 have returned to Oman in large numbers without legal obstacles, and with official encouragement. Included in this group are several thousand ethnic Omani refugees from East Africa who have been successfully resettled. Omanis may travel and emigrate freely to foreign countries. Many Omanis now work abroad, especially in the United Arab Emirates, returning home on weekends. Expatriate workers, mostly from South Asia, comprise over half the non-traditional labor force. They are monitored closely and, with a few exceptions, are not allowed to settle permanently in Oman. The police conduct periodic sweeps to detain and deport undocumented aliens. Non-Omani refugees are not permitted to remain in the country and are returned to their homelands unless they can be resettled in third countries. With the exception of Dhofar Province and small portions of the northern mountains, where special travel permits are required for security reasons, there are no restrictions on travel by Omanis within the country. The government has undertaken an extensive program of road building throughout the Sultanate. Women are subjected to no special travel restrictions and are free to own and operate motor vehicles. They may engage in business and hold government employment although the numbers doing so are still very few.

e. Freedom to Participate in the Political Process

Oman is an absolute monarchy. Political parties, non-violent opposition groups, elections and constitutions are unknown. However, citizens have access to senior officials both directly through petition -- a traditional practice -- and through several official channels.

The Al Bu Said dynasty has ruled Oman since 1749, although its control over the interior of the country was not consolidated until an Ibadhi tribal rebellion in central Oman (1954-59) and the Dhofar rebellion (1963-75) were put down with British and other outside assistance. Because of economic development (for which the Sultan is largely given credit by the people) and the coopting of traditional tribal and religious leaders, Ibadhi opposition to the Sultan is now quiescent. The only active opposition to the government today comes from the remnants of the Marxist Peoples Front for the Liberation of Oman (PFLO) in Dhofar and its exiled leaders in South Yemen.

In an effort to broaden participation in the government, the Sultan formed the Consultative Council for the State in 1981. It consists of 45 appointed members, drawn from the government, the business community, and the outlying regions. It includes members of every significant ethnic, geographic, and religious sector of the population. The Council's role at present is limited to advising the government on economic and social policies, but there are indications it may be tasked with additional responsibilities in the future.

Outside Muscat, government still reflects the tribal nature of Omani society. The 37 provinces are administered by "walis" (governors), nearly one-third of whom are members of the royal family. Traditional elites -- tribal shaykhs and elders, and members of the area's prominent families -- dominate the tribal and town councils, which settle intratribal disputes and advise municipal officials on local matters. On the provincial and national levels the Council of Qadhis -- religious judges of the Ibadhi sect of Islam -- advises the Sultan on Islamic affairs and passes on the conformity of individual decrees with Islamic law.

3. Government Attitude Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The government declined to receive a proposed Amnesty International mission in 1972, when the Dhofar insurgency was at its peak. Since then, there have been no known requests by international human rights organizations to visit Oman. There are no independent organizations based within the country that observe, report, or contest human rights violations.

4. Economic, Social, and Cultural Situation

Before 1970, the government actively discouraged all forms of modernization. Oman was one of the poorest countries in the world, with a rudimentary economy and virtually no infrastructure. The commencement of oil exports in 1967, the accession of Sultan Qaboos in 1970, and the oil price increases of 1974 and 1979 have enabled the country to make great advances in almost every index of development. The government has made a commitment to improving the quality of life for its citizens and has devoted a large proportion of its oil revenues to infrastructure building, industrialization, and improvements in the traditional pursuits of agriculture and fishing. Between 1970 and 1980 the number of hospital beds was increased from 12 to several thousand, the number of students from a few hundred to nearly 100,000, and the length of paved roads from approximately ten kilometers to over 2,000. Life expectancy has increased by some five years to 48, and programs to eradicate endemic diseases are well underway. The infant mortality rate is 128/1000. Boosted by the return of Omanis from overseas, immigrants attracted by job opportunities and improved health care, population growth has increased to 3.1 percent a year.

Nonetheless, a great deal remains to be done, and in much of the country development has barely begun. Many towns and most rural areas still lack reliable supplies of safe water or electricity. The adult literacy rate is still well below 50 percent, and only 57 percent of children are in primary school. For cultural reasons the education of girls (37 percent in primary school) lags far behind that of boys (76 percent in primary school). While many social groups in the capital area are becoming increasingly Westernized and cosmopolitan, outside this small area society is still highly traditional, tightly organized along family and tribal lines. Similarly, although per capita gross national product is now over US $4,000 a year, the benefits of the new prosperity have accrued largely to a limited number of individuals and social groups in the capital area, despite some government effort to reverse this trend. There is little or no discrimination on the basis of race or ethnic origins, and the government actively promotes greater freedom for women.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: OMAN

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	5.6	0.7	15.5
LOANS..............	0.0	0.0	7.5
GRANTS..............	5.6	0.7	8.0
A.AID	5.0	0.0	15.0
LOANS..............	0.0	0.0	7.5
GRANTS..............	5.0	0.0	7.5
(SEC.SUPP.ASSIST.)...	5.0	0.0	15.0
B.FOOD FOR PEACE........	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL..........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.6	0.7	0.5
LOANS..............	0.0	0.0	0.0
GRANTS..............	0.6	0.7	0.5
PEACE CORPS......	0.6	0.7	0.5
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	25.0	25.0	30.1
LOANS..............	25.0	25.0	30.0
GRANTS..............	0.0	0.0	0.1
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	25.0	25.0	30.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.1
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	30.6	25.7	45.6
LOANS..............	25.0	25.0	37.5
GRANTS..............	5.6	0.7	8.1
OTHER US LOANS..........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	22.0	0.0	15.0	67.7
IBRD	22.0	0.0	15.0	61.5
IFC	0.0	0.0	0.0	2.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.0	0.0	0.0	3.7
OTHER-UN	0.0	0.0	0.0	0.5
EEC	0.0	0.0	0.0	0.0

PAKISTAN

Throughout its three and a half decades of independence, Pakistan has been preoccupied with a search for its national identity. The social, political, economic, and regional differences which characterize Pakistan's diverse society have led frequently to political turmoil. As a result, Pakistan has been governed by martial law or other non-elected regimes for more than half of its thirty-five years.

The third and longest experience with martial law began with the ouster of former Prime Minister Zulfikar Ali Bhutto by the army, led by Chief of Staff General Mohammad Zia-ul-Haq, in July 1977. The Martial Law Administration -- with General Zia initially serving as Chief Martial Law Administrator -- was originally proclaimed as a ninety-day caretaker regime pending the holding of elections and the restoration of the 1973 Constitution. In the intervening five and a half years, however, general elections have not been held and President Zia has increasingly shifted emphasis to reforming Pakistani society by seeking to make its laws and customs consistent with Islamic precepts, with the incompletely defined objective of establishing an "Islamic democracy." The effective result, however, has been a further entrenchment of martial law in the life of the country.

Pakistani society is predominantly Islamic and traditional, largely rural and poor. Agriculture, the largest sector of the economy, remains strongly influenced by its feudal past while the smaller industrial sector is made up of a mix of publicly- and privately-owned enterprises. The present Government has a proclaimed policy of encouraging the private sector but has had little success in finding ways to divest itself of key industries, many of them rendered inefficient when they were nationalized under former Prime Minister Bhutto.

Civil and political rights remained basically in the situation of earlier years: (1) in 1977 martial law was declared, the National Assembly was dissolved and the Constitution was "held in abeyance;" (2) in October 1979 elections, set for November, were called off and General Zia, citing security considerations, dissolved all political parties, banned political activities, and imposed press censorship; and (3) in March 1981 President Zia promulgated a Provisional Constitutional Order which negated more than half of the 1973 Constitution, formally suspended certain civil and political rights which had already been suspended in practice, and significantly curtailed the jurisdiction and independence of the judiciary.

The Martial Law Administration has continued not to honor many generally recognized human rights precepts. Military courts are authorized to try virtually any criminal case and in 1982 the Government increasingly relied on summary military courts to relieve the backlog of cases in the civil courts. Persons charged with terrorist or subversive offenses can be tried in special military courts and are presumed guilty until they establish their innocence.

During 1982 there were no known instances of disappearances, torture, or killings sanctioned by the Government, although mistreatment of detainees, particularly in the interrogation process, resulted in at least 11 deaths in 1982. Law enforcement and adjudication as practiced by the Government have tended to create an atmosphere of intimidation that tends to curtail political activity and expression. In spite of this, a great deal of political discussion and organization opposed to the Government is allowed to take place privately.

The lifting of precensorship announced by President Zia in January 1982 shifted to newspaper editors the responsibility for ensuring compliance with unchanged censorship guidelines. Criticism of the Government, veiled or otherwise, was more common during 1982 than at any time since October 1979 when censorship was first imposed, but the Government frequently expressed its displeasure through official warnings and by withholding government advertising from offending publications.

Ordinary citizens continued to be unable to participate in the political process at the provincial and national levels in 1982. The Federal Advisory Council, a hand-picked group of individuals from all parts of the country and many walks of life, was first convened in January 1982. Although its members showed they could articulate the views of the public on some issues, such as law and order, their function is only advisory and there were only sporadic indications of government responsiveness to their concerns. Pakistan's "local bodies," popularly elected on a non-party basis in 1979, held a national convention in May at which President Zia promised to look into increasing their revenue-base and authority. He appointed a high level commission and instructed it to make recommendations in this regard by November 1982, but by the end of the year the commission had still not submitted its report.

Since 1978 Pakistan has offered refuge to Afghans fleeing civil war and, after December 1979, the Soviet occupation of their homeland. Despite serious economic burdens and social tensions caused by the presence of about 2.8 million registered refugees, Pakistan continued during 1982 to provide generous humanitarian assistance, approximating half of the total assistance received by the refugees. In October 1982 Pakistan received for resettlement from Bangladesh 4,500 Biharis (non-Bengali Muslims) who had family or employment ties to West Pakistan before Bangladeshi independence.

The Government made little real movement during 1982 toward restoring basic civil and political rights. President Zia has recently stated on several occasions, however, that he expects the process of designing the new Islamic system of government to be completed by August 1983. According to press reports, President Zia has said that the plan would provide for the holding of elections and the orderly transfer of power to the elected representatives. Zia said that he wanted the country to have the kind of political structure which would rule out the possibility of a fourth martial law.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

During 1982 there were at least 11 cases in which prisoners died while in police custody. The deaths, which were reported in the press, occurred at various stages in the arrest-interrogation-detention cycle, but particularly in the interrogation process. None of the victims could be termed political prisoners, and the deaths did not appear to have been politically motivated. Eight of the deaths were or still are being investigated and in seven cases charges of murder were brought against policemen or prison guards, six of whom were suspended from duty. No subsequent press reports appeared on the outcome of the investigations. In none of the 11 cases was there any independent evidence that the Government approved the actions of the individual police officers.

Several prominent Pakistanis were murdered during 1982, including a former governor of the Northwest Frontier Province, two Federal Advisory Council members and a political agent in the tribal areas. Another political agent who was shot and critically wounded remains paralyzed. Political parties of the left and right exchanged accusations concerning responsibility for several of the murders, but official investigations thus far have failed to establish political motives in any of the cases. A car bomb exploded at Lahore Airport on August 2 injuring eight persons. The British Broadcasting Corporation reported that Murtaza Bhutto, Chairman of the Kabul-based "Al Zulfikar" underground political organization and son of former Prime Minister Bhutto, claimed his group was responsible for the blast.

b. Disappearance

There are no known reports during 1982 that individuals have "disappeared" as a result of actions taken by security authorities. There are reports that individuals are sometimes held incommunicado or in an unknown location while detained. Arrests, particularly if they involve individuals who are not politically or socially well-known, are frequently not publicized, but are acknowledged to family members.

The crime of kidnapping, often for ransom, is common and even traditional, especially in the remote tribal areas, and there are reports of some Afghans having been kidnapped and even tortured by Afghan political rivals. An American journalist was kidnapped in the tribal territory in June 1982, but the Northwest Frontier Provincial Government put pressure on tribal leaders which led to his release within 24 hours.

c. Torture

The 1973 Constitution bans torture. During 1982, however, allegations continued to be made of torture of political workers under detention. It appears that, as under previous regimes, abusive forms of interrogation have been routinely used by the police under the present Martial Law Administration. As a reflection of class structure in Pakistan, socially or politically prominent individuals suffer less at the hands of the authorities than do the less well-off.

Allegations of more generalized police brutality also continued to be made during 1982 and included reports of beatings, extortion and, in at least one case, rape. There is no evidence that ties these attacks to any political motivation. Rather, they appear to be for the personal gain of the individual policemen. As is the case with killings, there is no evidence to demonstrate that the Government condones such actions by individual police officers. While nearly all publicized allegations of torture are investigated, however, neither the current regime nor its predecessors have dealt with the problem of police brutality in general, and results of investigations are rarely made public.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

President Zia and the Pakistan Government have endorsed the establishment of punishments as codified under the Sharia, the traditional Islamic legal code. Shariat benches, charged with reviewing all laws to insure that they conform to Islamic codes, have been created for each of the High Courts and an Appelate Shariat bench has been created at the Supreme Court. Moreover, the Hudood Ordinances have removed four crimes -- theft, drinking, adultery, and false accusation of adultery -- from the penal code and applied to them Islamic punishments. The penalties include traditional Western punishments such as fines or imprisonment but also call for Islamic punishments such as flogging, stoning, or amputation.

Floggings of offenders have been ordered. Most flogging is carried out in jail away from public view although there was an increase in public floggings in late 1982. During 1982 the press carried at least eight reports of floggings in public in cases involving one or more persons charged with sexual assault, consumption of alcohol, narcotics possession, or robbery. Although during 1982 two sentences of amputation were announced, neither is known to have been carried out, nor have any such sentences been carried out in previous years. On June 29, 1982 a federal Shariat court decision for the first time sustained a lower court sentence of amputation in a case involving the theft of a clock from a mosque. By the end of 1982, authorities had still not carried out the amputation.

In September 1981 a school bus driver was sentenced to death by stoning for adultery. This was the first sentence of its kind imposed in Pakistan. However, in March 1982 the federal Shariat court refused to hear the case on appeal and instead referred the case back to district court with instructions that leniency be shown. Convictions for which amputation or stoning to death are the prescribed punishments will probably continue to be rare owing to the strict rules of evidence under Islamic law.

There are three classes of facilities for prisoners: A, B, and C. Class "C" cells are designated for ordinary criminals. These cells usually have dirt floors, are unfurnished, and are frequently overcrowded. The amount and quality of food provided inmates is poor. Depending on means and social/political status, a prisoner may be given improved treatment, less crowded cells, and better food. In Karachi Central Prison, foreigners, and political prisoners are placed in class "B" confinement. Only a few prominent individuals receive "A" class accommodations.

e. Arbitrary Arrest and Imprisonment

Pakistan has always had legislation authorizing preventive detention. Martial law regulations authorize limited (90 day) detention of persons who might act in a manner "prejudicial" to the regime. While detention is "limited," it may be, and occasionally is, extended indefinitely without judicial review. Under this authority there have been a substantial number of detentions without charge or trial of various political figures. The grounds for arrest include expressing anti-regime sentiments in speeches or literature and participating in public demonstrations. Such arrests usually occur en masse: In February and March 1982, martial law authorities throughout the country detained an estimated 4,400 individuals in an effort to be responsive to demands made in the Federal Advisory Council for law and order. Most of those arrested were reported to be habitual offenders; about one fourth of those arrested were political party workers. The assassination of Zahoor Bhopali, a pro-Zia political leader, and a perceived upturn in violent crime in September, again focused public attention on the law and order situation. The Government responded by arresting over 1,000 suspects and initiating a nationwide anti-terrorism campaign.

The number of political detainees in Pakistan is very hard to estimate, given the absence of official statistics, the practice of detaining individuals without charge, and the difficulty in distinguishing between arrests for actions which constitute legitimate political opposition and those for actions which actually threaten national security. Taking these factors into account, it can be estimated that there were about 400 persons detained in Pakistan for political reasons at the end of 1982. Allegations continue to be voiced that many others who remain under detention for alleged involvement in terrorism or ordinary crime had in fact been jailed for political reasons. Four prominent political leaders remain in custody: Air Marshal (retired) Asghar Khan, the Tehrik-e-Istiqlal party leader, has been under house arrest in Abbottabad since November 1979; Benazir Bhutto, daughter of the former Prime Minister, has been under detention since March 1981, and is presently under house arrest in Karachi having been moved there from Larkana in mid-November 1982; Pakistan Democratic Party President Nawabzada Nasrullah Khan has been confined to his home in rural Punjab since October 1981; and Maulana Fazlur Rehman of the Jamiat-ul-Ulema-e-Islam remained in a class "C" jail cell for the last half of 1982. Other political leaders arrested in late November 1982 had been released by the end of the year.

Another form of arbitrary arrest occasionally practiced in Pakistan involves the kidnapping by police of relatives of persons being sought for crimes. This is done in an effort to pressure the accused to surrender to the authorities. According to a July 1 news report from Karachi, the parents and brother of a university student sought by police for allegedly fomenting campus unrest were still in jail five months after being detained because of their relationship to the accused.

f. Denial of Fair Public Trial

Three judicial systems currently operate in Pakistan: a civilian judiciary based on Anglo-Saxon law, Shariat benches operating under Islamic law, and military tribunals. The Shariat benches are attached to the civilian judiciary and operate under the same rules of evidence, right to counsel, and other procedures applied in the civilian courts, although in some instances rules of evidence are even more restrictive in the Shariat courts. A Provisional Constitutional Order promulgated in March 1981 significantly restricted the powers of the civilian judiciary to review actions and decisions of the martial law authorities and the military courts, removing from their jurisdiction most cases of political or security significance. The Order also required Supreme and High Court justices to swear what to some justices seemed to be an unconstitutional oath of allegiance. A number of justices, including the Chief Justice and two Supreme Court judges refused to take it, thus relinquishing their positions.

The Government has been given broad discretionary power in choosing to assign cases to either civilian or military courts. Military courts are authorized to try virtually every criminal case in Pakistan and the Government has increasingly relied upon summary military courts to relieve the backlog of cases in the civil courts. The right of counsel is not expressly prohibited at special courts martial, but there are reports that judges and prosecutors, many of them untrained in the law, treat defense attorneys with contempt. In summary military courts, defense attorneys do not have the right to speak on behalf of their clients. The March 1982 Criminal Law Amendment Order further amended the Constitution to broaden even more the powers of the special military courts. In cases of subversion, the amendment shifts the burden of proof to the defendant, who is regarded as guilty until proven innocent; imposes strict secrecy on the proceedings; empowers the court to expel both witnesses and defendant if they are determined to be acting in a disruptive or dilatory manner; and provides for appeal to the Chief Martial Law Administrator only when the death sentence is imposed. A martial law regulation of September 27, 1982 repeated the provisions of the Criminal Law Amendment Order and made them apply retroactively to July 5, 1977 -- the day the Martial Law Administration came to power.

Trials involving subversion are typically lengthy. The trial of Jam Saqi and five co-defendants who have been held since September 1980 on charges of printing and distributing subversive literature was heard in a special military court throughout 1982. Delays before trial are also lengthy. Several persons arrested in December 1981 on various charges of subversion are still awaiting trial.

g. Invasion of the Home

Police are required to obtain a warrant before entering a residence, and they generally respect the inviolability of the home. There have been a few press reports in which individuals have charged the police with entering their domiciles without a warrant.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Since October 1979 the Martial Law Administration has maintained restrictions on freedom of expression. While criticism of the bureaucracy is permitted, including criticism of police brutality and official corruption, articles and speeches which "defame" the Martial Law Administration, the army or the President, or those which criticize Islam, are prohibited, as are reports and speeches which might "incite religious or regional tensions." Owing to the ban on political activities, the press is officially forbidden to print statements by leaders of the "defunct" political parties, although these, in one form or another, often find their way into the press.

President Zia announced the lifting of pre-censorship in January 1982 but declared that censorship guidelines would remain in force. During 1982 some self-censored newspapers provided expanded and at times lively coverage of the maneuverings of political leaders, only to discontinue the practice, albeit temporarily, in response to either public warnings from President Zia and the Minister of Information, or telephoned warnings from the Information Ministry's press information department. The Government exercised indirect control over what appeared in print by limiting the availability of newsprint and withdrawing government advertising, notably from newspapers which carried editorial views critical of the Martial Law Administration. The press also came under attack from right wing students protesting unfavorable coverage of their activities. On April 23 students of the Islami Jamiat-e-Tulaba, the student arm of the Islamic fundamentalist Jamaat-e-Islami party, sacked the offices of the two leading independent newspapers in Lahore. The police, who generally have been reluctant to restrain right wing organizations, were criticized for their failure to intervene in this case.

A number of Pakistani journalists and politicians have been convicted of printing and distributing "anti-state literature." Former editor of the banned Pakistan People's Party weekly "Al Fateh," Irshad Rao, was arrested in January 1981 on a charge of printing and disseminating subversive literature. Ten months later, he was convicted by a summary military court and sentenced to one year rigorous imprisonment and ten lashes. After serving one year during which he was twice admitted to a hospital for a nervous disorder, Rao's confinement was extended by means of a 90-day detention order. In September 1982, eight political workers were convicted by a special military court in Lahore of holding a secret meeting and deciding to print and distribute anti-government literature. They were each sentenced to eight years rigorous imprisonment. The following month, seven Pakistan People's Party workers were convicted by a Lahore special military court on a charge of distributing pamphlets containing objectionable material. Four were sentenced to seven years imprisonment and twenty lashes, two were sentenced to seventeen years and twenty lashes, and the seventh man, former Member of the Punjab Provincial Assembly Qayum Nizami, was sentenced in absentia to fourteen years rigorous imprisonment.

Confiscation and banning of domestic books and periodicals occurred frequently, but literary and creative works were exempt from censorship. Imported books and periodicals enter the country more or less freely. Foreign radio broadcasts were accessible to a large portion of the public and frequently covered critically domestic developments not reported in the Pakistan press. According to one survey, the BBC Urdu language service attracted up to thirty percent of the radio audience.

Freedom of private speech is generally not restricted in Pakistan. There is no evidence of individuals being persecuted or arrested for comments made in private. Nor is there widespread concern over the use of wiretaps or mail openings, although the Government is known to employ both practices selectively.

b. Freedom of Peaceful Assembly and Association

President Zia banned political activities in October 1979 and, as a result, the only major gatherings permitted during 1982 were in connection with religious or patriotic festivities. Events which might particularly lead to demonstrations (such as the April anniversary of Bhutto's execution) were preceded by detentions which, although short in duration, were intended to prevent mass assemblies. During the spring and summer, authorities prevented several planned demonstrations protesting events in the Middle East.

Pakistani workers are free to form labor unions, appoint collective bargaining agents, and negotiate in a limited sense on wages and working conditions with their employers. Strikes by industrial workers and employer lockouts, although prohibited, have continued to occur. From March until May a series of strikes was organized throughout the country by teachers seeking higher wages and more benefits and by young doctors demanding internships for all medical graduates. These came to an end after negotiations with provincial and federal ministers led to some concessions in the 1982-83 federal budget. Some officers of the Pakistan International Airlines union have been incarcerated since their August 1981 opposition to efforts by the authorities to reduce inefficiency in the state airline.

Workers' organizations in general have insisted that the Government enunciate a new labor policy, one which affirms their right to strike and bargain collectively and which would enforce present restrictions on the ability of employers to hire and fire. Although the Government has had the issue under review since 1979 no action was taken during 1982. The job security of government workers was affected in August 1982 by an amendment to the Provisional Constitutional Order which states that certain civil servants dismissed from government service have no right to appeal their dismissal before civil service tribunals or civil courts.

The Government's policy of "Islamization" has directly affected the position of women. In March 1982, for the first time in Pakistan's history, women were denied permission to participate in the Pakistan national games in Peshawar. President Zia also directed that women could not participate in athletic events outside Pakistan. In October 1982 the Lahore chapter of the Women's Action Forum , a nationwide coalition of women's groups, met to celebrate its first anniversary and express opposition to a proposed new federal law of evidence which they claimed would impose on women and men equal obligations without affording women equal rights.

Traditionally, the most active professional groups on the national political scene have been Pakistan's bar associations and councils. Lawyers, for example, were the foremost critics of the March 1981 Provisional Constitutional Order which significantly eroded the powers and independence of Pakistan's civil judiciary. This activist tradition was directly challenged in July 1982 when the Government amended the 1973 Bar Council and Legal Practitioners Act to deny bar councils and associations the freedom to engage in political activities. The proximate cause of the Government's action appears to have been the expulsion from bar councils, and hence from legal practice, of some lawyers who had accepted membership in the Federal Advisory Council. However, the amendments were viewed, even by many lawyers not involved in politics, as another unacceptable infringement on their activities. Four lawyers of the Lahore and Karachi High Court bar associations were arrested for organizing meetings which were addressed by prominent politicians and on November 22 a nationwide one-day strike caused nearly all civil courts in Pakistan to close for the day.

c. Freedom of Religion

Minority religious groups and their adherents are denied certain rights enjoyed by the majority Muslims, but were allowed to participate in the 1979 local elections in which certain seats were reserved for them. Christians, Parsis, Hindus, and others, including the followers of the Ahmadi sect, are considered to be minorities and their members cannot be elected president or prime minister. Although the Ahmadis consider themselves Muslims, the Government does not accept them as such because they do not accept Mohammad as the final prophet. Minority religious groups are generally free to practice their religions openly, although some groups have complained that their proselytizing activities, especially if they involve foreign missionaries, have been restricted. There are also reports of harassment and discrimination toward the minority religious groups, especially in the fields of employment and educational opportunities.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Within the country there is general freedom of movement for citizens, but a number of prominent opposition leaders were restricted from entering certain provinces during 1982. "Externment orders" served on some politicians to prevent them from entering Sind Province were cited as a factor contributing to the failure of a round table conference of politicians which was to be held in Karachi on November 11.

Some opposition figures have been denied passports for foreign travel, and in other cases have been refused the foreign exchange needed to finance their children's study abroad. In August 1982 Begum Nusrat Bhutto, widow of the former Prime Minister, applied for permission to travel abroad for medical treatment. After a delay of 83 days, and a government-imposed requirement that she appear before a medical board of examiners to determine whether treatment abroad was necessary, permission to leave the country was granted on November 12.
Pakistani workers are free to emigrate in order to work abroad. The Government frequently assists this economically advantageous practice and accepts workers upon their return.

About 2.8 million registered Afghan refugees have fled the Soviet occupation of their homeland to Pakistan. The Government of Pakistan provides the personnel to administer over three hundred refugee camps and bears the cost of inland transportation of international relief commodities channeled through the United Nations High Commissioner for Refugees (UNHCR), the World Food Program, and several voluntary agencies. The Government has committed itself to making cash payments to registered refugees as a supplement to international donations of food, clothing, and shelter, but due to administrative problems payments are sporadic. On UNHCR and Pakistani Government insistence, only camp residents are eligible for the relief distribution program. No restrictions have been placed on travel within the country by refugees. Violent incidents resulting from friction with local inhabitants have occurred on occasion, but have been remarkably few and easily controlled considering the magnitude of the refugee population and the strains they place on the local environment.

e. Freedom to Participate in the Political Process

Pakistan is governed by a martial law regime with an active duty general, Zia-ul-Haq, serving as President and Chief Martial Law Administrator. Federal cabinet portfolios are held by five active military officers and sixteen civilians. They preside over a professional federal civil service which is still largely devoid of active duty military personnel, although there are some officers serving in the upper levels of the bureaucracy. Since July 1977 the federal cabinet has assumed the legislative authority of Pakistan's national assembly. There is an identical arrangement at the provincial level where each of the four provinces is governed by a lieutenant general with the titles of Governor and Martial Law Administrator. The ordinary Pakistani citizen is unable to participate in the political process at the national and provincial levels, although limited participation in local government, on a non-party basis, has been permitted since 1979.

Political parties were declared "defunct" in October 1979. In fact, their administrative structures remain intact, inter-party leadership gatherings are held frequently in private homes, coalitions are formed and disbanded, and the public is kept informed of these activities through press reports. Not all parties are treated equally, however. The more conservative groupings are permitted considerable leeway in their activities, and their leaders travel freely throughout the country. Leaders of the Movement for the Restoration of Democracy, the only major coalition of political parties on the center and the left, are subject to various restrictions on travel and assembly, although this coalition, too, is able to continue limited political activity.

President Zia's main response so far to demands for a broadening of the national policy making process has been the formation of the Federal Advisory Council (Majlis-e-Shoora). The Council was first convened in January 1982 when 287 members, selected by the Martial Law Administration to represent all former National Assembly districts, gathered in Islamabad for the first of four sessions held during 1982. A limited number of seats were allocated to women and minorities. Council members were given immunity from prosecution for any statements made while in council. A few members took advantage of this to criticize the Government for its failure to hold elections and restore democracy, while many more criticized Government policies and the bureaucracy for failures in such areas as law and order and public utilities. But the powers of the Council are strictly advisory. During 1982 the only example of government policy based on recommendations made by the Council was the February-March large-scale arrests of "anti-social elements."

President Zia has permitted participation in government at the local level by conducting non-party elections through universal suffrage to fill seats for four year terms in "local bodies" (at the county or city level) throughout the country in 1979. The elections were conducted vigorously, with a number of political parties, including the Pakistan People's Party, surreptitously encouraging their followers to run for office. The local bodies were the first elected in fifteen years. They have an uneasy partnership with the Pakistani civil service (which traditionally has made most decisions), but seem to be establishing themselves as functioning institutions albeit with mixed results.

At the second all-Pakistan local bodies convention in May 1982 President Zia announced he would push for an expansion of their revenue base and authority. A special commission under Minister of Local Government and Rural Development Fakhar Imam was appointed to study the matter. By the end of 1982, its recommendations, which were to be completed by November, had still not been submitted to the President.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Investigation of human rights abuses in Pakistan is difficult because the Government does not publish relevant information and the press is subject to censorship. Nevertheless, domestic human rights organizations operate largely free of government harassment, perhaps because they do not challenge current violations in Pakistan. The Human Rights Society of Pakistan is basically a ceremonial organization which makes no apparent effort to evaluate the situation in the country.

Amnesty International has a resident Pakistani representative and has conducted investigations in Pakistan of alleged human rights abuses. In its 1981 report, issued in January 1982, entitled "Pakistan: Human Rights Violations and the Decline of the Rule of Law," Amnesty International stated that there had been a steady deterioration in respect for human rights in Pakistan, especially since the beginning of 1981. It cited in particular the deprivation of civil rights as a result of the March 1981 Provisional Constitutional Order. In addition, the report asserted that as many as 6,000 political prisoners were being held incommunicado, and that its investigations had revealed a systematic pattern of torture in Pakistan. The Government of Pakistan has issued no official response to the report. A few days after its release, however, Interior Minister Mahmood Haroon answered two of its allegations without specifically naming Amnesty International. He told delegates to the first session of the Federal Advisory Council on January 17, 1982 that only 62 persons were being detained on political grounds and he challenged those who allege that Pakistan engages in human rights abuses to prove even one case of torture of a prisoner.

4. Economic, Social, and Cultural Situation

Pakistan faces many problems common to the developing world, including an adult literacy rate of only 24 percent (1976-1979 statistics), a high population growth rate of 3.1 percent (1970-1978), and a relatively low per capita GNP of $336 (1981 estimate). Moreover, Pakistan's traditional society--largely rural--resists change, and government efforts to improve rural living conditions produce improvements only slowly. There are substantial disparities in living conditions experienced in urban areas, as compared to those in the countryside, where over two-thirds of Pakistan's 84 million people live. Whereas 60 percent of all city dwellers have access to safe water, only 17 percent of the rural population does. On the other hand, 32.8 percent of the population in urban areas live below the absolute poverty level, compared to 29 percent in rural areas (1976-1979 statistics). A deficit of over one million housing units exists in urban areas and the shortage in rural areas is reportedly several times as great.

Pakistani society traditionally assigns a subordinate role to women. For example, 70 percent of all six-to-eleven-year-old boys attend school, compared with only 25 percent of all girls. This disparity increases in public secondary education. While women are well represented in Pakistani universities, post-graduation professional opportunities are limited largely to teaching, medical services, and the law. As part of its "Islamization" program, the Government has placed restrictions on the appearance of women in broadcast and print media. Despite the "Islamization" program, however, women have continued to play a growing role in the commercial and governmental sectors of the society. As such, they have been well-positioned to defend the Muslim Family Laws, which generally protect the rights of women in the society, against charges that the Family Laws are "un-Islamic." A small number of women have been active in provincial and national politics and the Pakistan Peoples' Party is currently led by the widow of former Prime Minister Bhutto.

In 1982, the Government increased its overall expenditures for social services by five percent; a net decrease in real terms. At the same time it instituted new programs in the areas of education and health which will be funded outside the federal budget. In addition, various foreign-supported projects for housing, electrification, education, and health in rural areas are underway. Special emphasis has been put on development in the relatively undeveloped province of Baluchistan and in parts of the Northwest Frontier Province.

There has been an upturn in the economy in the last five years and workers' remittances have increased the real disposable income of consumers. Several good crops have resulted in more abundant food supplies.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: PAKISTAN

	1980	1981	1982
I.ECON. ASSIST.-TOTAL	58.6	76.8	200.4
LOANS	47.5	47.5	81.5
GRANTS	11.1	29.3	118.9
A.AID	0.0	0.0	100.0
LOANS	0.0	0.0	34.0
GRANTS	0.0	0.0	66.0
(SEC.SUPP.ASSIST.)	0.0	0.0	100.0
B.FOOD FOR PEACE	58.1	76.3	97.5
LOANS	47.5	47.5	47.5
GRANTS	10.6	28.8	50.0
TITLE I-TOTAL	47.5	47.5	47.5
REPAY. IN $-LOANS	47.5	47.5	47.5
PAY. IN FOR. CURR	0.0	0.0	0.0
TITLE II-TOTAL	10.6	28.8	50.0
E.RELIEF.EC.DEV & WFP.	10.6	28.8	50.0
VOL.RELIEF AGENCY	0.0	0.0	0.0
C.OTHER ECON. ASSIST	0.5	0.5	2.9
LOANS	0.0	0.0	0.0
GRANTS	0.5	0.5	2.9
PEACE CORPS	0.0	0.0	0.0
NARCOTICS	0.5	0.5	2.9
OTHER	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL	0.0	0.0	0.6
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.6
A.MAP GRANTS	0.0	0.0	0.0
B.CREDIT SALES-FMS	0.0	0.0	0.0
C.INTL MIL.ED.TRNG	0.0	0.0	0.6
D.TRAN-EXCESS STOCK	0.0	0.0	0.0
E.OTHER GRANTS	0.0	0.0	0.0
III.TOTAL ECON. & MIL.	58.6	76.8	201.0
LOANS	47.5	47.5	81.5
GRANTS	11.1	29.3	119.5
OTHER US LOANS	0.0	0.0	0.0
EX-IM BANK LOANS	0.0	0.0	0.0
ALL OTHER	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL	349.3	277.3	371.3	3777.1
IBRD	0.0	0.0	138.5	904.3
IFC	5.6	3.4	19.3	86.0
IDA	165.0	0.0	0.0	1254.0
IDB	0.0	0.0	0.0	0.0
ADB	169.9	193.3	213.0	1278.4
AFDB	0.0	0.0	0.0	0.0
UNDP	7.8	15.3	0.0	109.3
OTHER-UN	0.0	65.3	0.0	145.1
EEC	0.0	0.0	0.0	0.0

QATAR

Qatar is a small Persian Gulf state ruled by an Amir (Prince) from the Al-Thani family. The Basic Law of 1970, a provisional constitution based on several Egyptian models, institutionalized traditional customs and practices rooted in Qatar's conservative Wahhabi Muslim heritage. The Amir is vested with nearly absolute power, so long as the exercise of that power does not conflict with Islamic law (the Sharia); he may suspend any secular law or countermand any court decision. A Council of Ministers and an advisory Council of Notables assist him in making policy decisions. Succession is determined through a consensus of adult males of the extended ruling family.

The economy is mixed, with the state owning and operating most basic industries and services while retail trade is largely in private hands. Qatar's rapidly developing modern industrial infrastructure has led to the creation of an expatriate community which now outnumbers the citizenry by four-to-one. As a minority in their own country, Qataris are concerned that these foreign nationals not engage in political activities which might challenge the status quo or embroil Qatar in unwanted controversy with a foreign state.

Although the Basic Law provides that "all persons shall enjoy equal public rights and shall be subject to equal public duties without distinction on the grounds of race, sex, or religion," the country's expatriate residents do not enjoy equality with Qataris. Resident aliens sometimes are unable to obtain equal treatment before the law. It is nearly impossible, for example, for an alien to take legal action against a citizen.

Political organizations and labor unions are forbidden. There are no elected assemblies, but Qatar maintains the tradition of the "majlis" -- or reception -- at which Qataris have the right to petition officials, notables, or even the Amir himself for a redress of grievances or for personal needs. This traditional method of recourse is still current and thirty notables are actively engaged in hearing petitions -- most hold several receptions per week.

The long-term effect of modernization is extremely difficult to predict. As more and more Qataris return from colleges and universities in the US and Europe, they are bringing with them ideas and life styles that often conflict with established customs. The broadening opportunities for education of women may lead to their gradual emergence from a traditionally secluded, subordinate status.

In the short run, the situation is unlikely to change very much. The Qataris are largely occupied with administering and controlling their burgeoning economy and creating a modern state. The regime does not appear to face a strong challenge to its legitimacy, nor are there visible popular demands for fundamental change. Elections for the advisory council are provided for in the Basic Law, but have yet to be held. Any such major innovation will occur only as the result of a consensus within the ruling family and among other notables.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

No allegations of politically-motivated killings were recorded in 1982. The internal security forces are closely controlled by the ruling family and are well-disciplined.

b. Disappearance

No allegations of disappearances were noted in 1982.

c. Torture

There was one allegation of torture in connection with the death of an Iranian national who died in police custody. The charge (discussed below) was not substantiated.

d. Cruel, Inhuman or Degrading Treatment or Punishment

There was one allegation that a person was subjected to cruel, inhuman, or degrading treatment in 1982. The case involved an Iranian national accused of smuggling currency to Iran who died while in police custody. The autopsy suggested that he died of natural causes, however. This was the first allegation of police brutality in several years. Public canings are routinely administered according to Sharia law. The severe punishments sometimes associated with Sharia law -- amputation of hands or stoning -- have not occurred in recent years. Prisons and jails are spartan but adequate. Food is sufficient and can be supplemented from outside sources. Foremost among the complaints of the prisoners is a lack of air-conditioning, a serious concern during the summer months. Little differentiation is made among the tiny prison population on the basis of social class, race, or religion. Women are very rarely jailed.

e. Arbitrary Arrest and Imprisonment

There was one allegation this year of arbitrary arrest and imprisonment. A foreign businessman currently has been imprisoned one year for failing to pay a large legal judgment in a commercial action brought by a Qatari citizen. While this sentence does not appear capricious per se, it does illustrate the harshness that can occur in a country that has no bankruptcy laws to shield a debtor from hopeless indebtedness. The right of habeas corpus is not codified in Qatar's civil law or the Sharia, but does exist in practice; police normally present suspects in custody to an appropriate court within 48 hours of their arrest.

f. Denial of Fair Public Trial

Both secular and religious courts exist side by side. Right to counsel, formal statement of charges, and possibility of appeal exist in the secular courts. Recently the Sharia courts have been expanding their jurisdiction from family and inheritance matters into subject matter previously considered secular such as commercial disputes. Since counsel is not available in Sharia court, non-Muslims are at a disadvantage in defending themselves. Cases against foreigners usually do not reach the stage of a public trial because aliens are quickly deported if suspected of violating the law or opposing the regime. When aliens are prosecuted, the fairness of the trial is uncertain because reasons for court decisions are not announced.

g. Invasion of the Home

No invasions of the home were reported in 1982. Formal warrants are not required for an official to enter a private residence, but strong traditional sanctions against forced entry safeguard the sanctity of the home.

2. Respect for Civil and Political Rights, Including:

a. Freedom of the Press and Speech

The Government states that the media exist to raise the general level of education and to instill cultural and moral standards among Qatari citizens. Radio and television are government monopolies, and privately-owned newspapers and magazines are heavily subsidized by the Government. If private newspapers were to violate official policy in treating such topics as Islam, the state, the ruling family, inter-Arab politics, or social issues, they would probably face loss of subsidies and closure. Since the limitations are well understood, no newspaper has been closed down in the last decade. Artistic and academic freedoms are limited by the traditionalist nature of Qatari society.

Because of Qatar's large expatriate community and a long history of outside contacts, censorship policies are fairly relaxed. Imported magazines, films, and television fare are routinely scrutinized, but the target is more often pornography than politics. Principal areas of sensitivity are criticism of the ruling family and favorable treatment of Israel. Western books and periodicals are sold openly. Local media offer broad coverage of international news, drawing on both Western and Arab news and wire services.

Thus far there is little evidence that police efforts to monitor potential subversives have had a chilling effect on freedom of expression.

b. Freedom of Peaceful Assembly and Association

Assemblies and associations organized for purposes not sanctioned by the Government are prohibited. Sport and social clubs abound, but professional associations are virtually unknown. Political rallies or demonstrations are banned unless approved in advance by the Government. In 1982 two small protests over the case of alleged police brutality mentioned above were quickly dispersed by the police. Police also broke up a small demonstration outside of the American Embassy. On the other hand, sizeable indoor rallies were sanctioned during recent visits by Palestinian leaders following the evacuation of the Palestine Liberation Organization fighters from Beirut in September 1982.

Most of the work force is foreign, and labor is not permitted to organize, strike, or engage in collective bargaining. Workers remain in the country only so long as they are sponsored by their employers. Imported laborers can be subjected to some unscrupulous practices by labor agents and employers. The lack of legal protection for unskilled workers has contributed to an urban underclass dwelling in unsanitary shantytowns. Exploitation of labor is contrary to official policy, but the Government has yet to devise effective ways to prevent it.

c. Freedom of Religion

Islam is the state religion of Qatar and non-Muslims are disadvantaged to some extent. The law requires that Muslims be given preference for employment. While there is no other de jure discrimination on the basis of religion, neither is there an official policy to combat traditional de facto discrimination against those who are not followers of Sunni Islam in business, distribution of social benefits, and the courts. Non-Muslim religious organizations may neither proselytize nor establish permanent places of worship. However, non-Muslim religious ceremonies are tolerated when conducted privately.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Qatari males travel within the country and abroad without restraint. Both Qatari and foreign females must generally have the permission of a male guardian or close male relative before leaving the country. All Qatari citizens have the right to return at will. Foreigners must obtain a sponsor before entering Qatar and must have their sponsor's permission to leave. Immigration authorities may selectively enforce travel or residence restrictions against certain nationalities as part of the implementation of labor or security policies. Nevertheless, thousands of aliens choose to live in Qatar despite their second-class status and lack of opportunity to acquire Qatari citizenship. Many hold important positions in business and government and influence national policy.

Qatar has no formal policies for handling refugees. In the past two years several hundred Iranian refugees may have been permitted to transit or stay. Qatar's contributions to international programs have been confined to the Muslim world. The Government provided generous support to Palestinian and Lebanese refugees in the wake of the recent Israeli invasion of Lebanon.

e. Freedom to Participate in the Political Process

Few rights associated with institutionalized democracy exist in Qatar. There are no political parties or associations or any organized opposition to the Government. Under the provisional Constitution elections are optional and the ruling family has never chosen to permit them. Nevertheless, the apparently autocratic nature of the Government is limited by survivals of Bedouin tradition. Political participation may occur through traditional informal channels. Interlocking family networks and the right of every Qatari citizen to appeal to the Amir in person in some ways compensate for the lack of formal suffrage. Important policy decisions are rarely taken by the ruling family without consultation with religious scholars and prominent merchant houses. Women as yet have no public role in Qatari society.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

There were no international or non-governmental investigations of allegations of human rights violations in Qatar in 1982. No communications between the Government and external non-governmental human rights organizations have been reported. Qatar does not belong to any regional human rights organizations. There are no local groups to monitor human rights compliance. Freedom House calls Qatar "Partly Free."

4. Economic, Social, and Cultural Circumstances

Qatar's gross national product per capita is one of the highest in the world, around $26,000. The country earned over

$5.5 billion in 1981 from the sale of oil and natural gas. Since 1972 roughly half of Qatar's national income has been devoted to developing social services and the infrastructure of a modern, industrial state. Water and electricity are provided free to Qatari citizens and at subsidized rates to most foreign residents. Low interest building loans are available to citizens; some receive housing and land grants. There are no personal or municipal taxes. While wages are generally fairly high, and wages and working conditions are monitored, some contractors circumvent the laws and engage workers under substandard conditions.

Life expectancy in Qatar is estimated at 57.6 years. Medical care is good, readily available, and free to all residents but this situation is too new to have raised the level of general health substantially. The estimated ratios of medical professionals to population are: doctors -- 1:1,000; dentists -- 1:14,000, and nurses -- 1:350; Qataris often travel abroad for special medical treatment at government expense. Nearly all residents have access to safe water and the average calorie intake meets nutritional requirements. Government figures show infant mortality is around 53 per 1,000 live births; UN figures for 1981 estimate 135 infant deaths per 1,000 live births.

The adult literacy rate for Qatar is around 50 percent and increasing. Total school-age enrollment is over 40,000, half of whom are girls. An additional 7,000 citizens attend adult literacy classes. Education through the university level is free to all qualified residents, although only Qatari nationals are eligible for government grants to study abroad.

The Government put the population in 1981 at 244,534; probably no more than 50,000 are Qatari citizens. The growth rate for the Qataris appears to be around four percent, while the rate for the entire country is around three percent.

The Government's efforts to make education available to girls and to ensure that they in fact attend represents a first step towards equality for women. Scholarships for university education abroad are not available to women as they are to men. Employment for women of any nationality is curtailed by tradition. Public life in this conservative society remains a male preserve.

SAUDI ARABIA

Saudi Arabia is a traditional family monarchy. It grew to its present geographic extent fifty years ago under King Abd al-Aziz ibn Saud. He fostered unity among the tribes and provinces through personal alliances and informal consultations, particularly with religious leaders. Senior princes and other high officials maintain the traditional "majlis," or public audience, in which any Saudi may present his views. These informal institutions are a major factor in the politics of the Kingdom.

Saudi Arabia is ruled by the sons of Abd al-Aziz. King Fahd is the fourth to do so, reigning since the death in June 1982 of his brother, King Khalid. By convention, the King serves as Prime Minister and the Crown Prince as his deputy. The King appoints other cabinet members, whether princes, eminent traditional figures, or technocrats. There are no elected assemblies or political parties. The legitimacy of the regime rests upon its adherence to and defense of Islam, particularly the austere Saudi interpretation of the Sunni tradition.

The centuries-old pastoral, agricultural, and commercial economy has been transformed by the inflow of large oil revenues. Rapid urbanization, massive public investment in social and economic infrastructure, large subsidies to entrepreneurs and consumers, incipient industrialization, the emergence of a technocratic class, and the presence of several million expatriates needed to effect rapid development have marked this transformation. Despite pervasive state participation in economic development projects, public policy dictates that economic activities and resources (except oil) remain largely in private hands. There are no trade unions, and strikes are banned.

Spurred by the Mecca disturbances of late 1979, the eruption of antagonistic regimes in several nearby states, the outbreak of war between Iran and Iraq, and the December 1981 coup attempt in Bahrain, the authorities have evinced continuing great concern about internal security. The commitment of the regime to Islamic values and Arab customs, challenged by fundamentalist critics abroad and strained by the presence of so many non-Arab and non-Muslim expatriates at home, is unquestionable. The authorities have responded with greater encouragement of those values and heavier emphasis on those customs, with the most noticeable impact on education and the role of women.

The government and civil administration are conducted in a manner that can be described as a synthesis of modern institutions, Islamic law, and elements of traditional (including tribal) practice. The judicial process is guided by Islamic Sharia law, a codification of the Koran and the words and deeds of the Prophet Muhammad -- viewed as divinely inspired, perfect, complete, immutable. The Sharia sets forth legal guidelines for judges in civil and criminal cases as well as appropriate punishments for transgressors, but is not precise about pretrial protections and procedures. Arbitrary or extra-legal execution or disappearance are unknown; reported instances of physical abuse are few. Cases of cruel, inhuman, or degrading treatment or punishment (caning excepted), or of invasion of the home, are exceedingly rare. The strict Sharia punishments, including amputation for theft and stoning for adultery, are sometimes carried out. The Islamic judiciary is effectively independent. Appeals may be made in various circumstances to panels of Sharia judges, provincial governors, the Ministry of Interior, or royal authority. There is no notification of arrest by police authorities; pretrial delays as investigations proceed can be lengthy; trials -- without counsel -- are closed in some criminal and all security cases.

The elevation of Fahd from Crown Prince to King has had no immediately discernible effect on the political system or the human rights situation. On two public occasions in 1982, King Fahd has stated his support for a basic law and appointed consultative council for the Kingdom, which have been under study for years. King Fahd's accession engendered widespread private speculation over possible political and social liberalization. For the present, no change is evident; the outlook over the short term is for a continuation of the conservative trends evident over the last several years.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There have been no reports of summary executions. Whether under cover of law or otherwise, arbitrary killing by Saudi authorities is unknown. No opposition or terrorist groups are known to exist, let alone operate in the Kingdom.

b. Disappearance

No reports or rumors of disappearance have been received.

c. Torture

The Kingdom as a matter of policy does not permit torture or other abuse of the person by its officials or agents. However, the Sharia requires confession to convict, in the absence of eye-witnesses. There are occasional unconfirmed accounts of physical mistreatment of suspects, particularly in narcotics trafficking cases.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The Sharia imposes capital punishment for premeditated murder, adultery, and apostasy from Islam. It may also be imposed for other crimes considered heinous, such as rape. (Those convicted of murder or manslaughter must also compensate the family of the victim financially, according to officially set rates.) Capital punishment may take the form of shooting or beheading or, for adultery, may also take the form of stoning. The press reported several beheadings for murder each month in 1982. The robbery and murder of an Arab man and assault on his wife by two expatriate Asian servants, subsequently tried and beheaded, was re-enacted on Saudi television as a warning to other potential criminals. One instance of the stoning of an adultress in a provincial capital several years ago came to light in 1982. The rigorous requirement of a confession or testimony by four eyewitnesses, plus severe social disapproval of adultery, render such convictions exceedingly rare. In the absence of extenuating circumstances, a recidivist thief suffers severance of a hand. For less severe crimes, such as drunkenness or simple possession of small quantities of narcotics, flogging is often imposed. This degrading form of punishment is inflicted less to cause pain than to humiliate; it is often carried out in public. The flogger uses only the lower arm to wield the cane; the convict remains clothed; his skin should not be broken, but floggings leave welts and bruises.

Prison conditions are not unusually harsh or intentionally degrading. Overcrowding has generated some complaints. On King Fahd's accession, many sentences were reduced by half.

e. Arbitrary Arrest and Imprisonment

There is no evidence of capricious arrest or imprisonment in Saudi Arabia, but procedural safeguards in the Western tradition are weak. In national security cases, or when the existence of a criminal ring is suspected, the authorities have arrested and held suspects for weeks, or even months, while investigations proceed. When an individual is detained, there is no automatic procedure for contacting his family or employer. Inquiries to the police almost always evoke official confirmation of the arrest; the facility of consular access to expatriate suspects varies with the gravity of the charge. Formal charges are not brought until the investigation is completed, which can take a long time. The Sharia does not provide for habeas corpus. Time spent in pretrial is normally applied against the length of any term of imprisonment imposed.

f. Denial of Fair Public Trial

Access to criminal trials is usually restricted to relatives or associates of the accused. Consular access to expatriates' trials varies from nonexistent in Riyadh to fairly frequent elsewhere. National security cases, and trials of those accused of white-collar crimes and hailed before the Board of Grievances, are conducted behind closed doors. Defendants are normally not represented by counsel, although Saudi lawyers may participate as interpreters for expatriates. The burden of proof is on the prosecution. The judge weighs the evidence gathered and presented by the police and hears witnesses' testimony. Confessions are accorded great importance. The judge decides guilt or innocence. There is no evidence of partiality or political pressure. The judge recommends sentencing in accordance with the Sharia, taking into account applicable decrees and regulations. Sentences are imposed by the Interior Ministry after review of the proceedings. Evidence of repentance can mitigate the severity of sentences meted out. If imprisonment is recommended, the ministry determines its length. The ministry hears all appeals and requests for clemency. Decisions of the Board of Grievances are routinely reviewed by the Council of Ministers. The military justice system has jurisdiction over civilian employees of the Defense Ministry charged with violations of military regulations as well as over uniformed personnel and their dependents. Decisions of courts-martial are automatically submitted for review to the Defense Minister and the King.

g. Invasion of the Home

The sanctity of the home is traditionally respected. The provincial governors may grant permission, oral or written, to the police to search private homes if the police demonstrate reasonable cause. In investigating large-scale drug and alcohol trafficking, the police have not always been scrupulous in obtaining warrants before searching homes. In cases involving national security, wire-tapping may be authorized by the Interior Minister or Director General of Intelligence.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Short of attacks on religion or the ruling family, Saudis in their individual capacities are free to speak their minds, to complain to officials, and to seek a hearing and redress of personal grievances from high officials. Many high officials, including ministers and governors, devote up to four hours daily to hearing individual petitions in their "majlis." The King meets weekly with religious and tribal notables.

As to the press, there is no official prior censorship. In Saudi universities, which are operated by the government, certain authors and subjects may not be taught. The effects of these restrictions are diminished by the great freedom given Saudi students to study abroad. Criticism of Saudi economic policies, of bureaucratic abuses, and of official inattention to economic or social problems or to regional disparities is voiced on campus and published in editorials and letters to the editor. However, the Information Ministry examines appointments of editors-in-chief of Saudi newspapers, which are privately owned. Ten papers appear daily. The editors adjust their statements to their sense of what will be permitted. Political criticism of the founding principles of the Kingdom, especially Islam, of the legitimacy or actions of the royal family, of cabinet members and governors, of the armed forces, or of religious notables, is not permitted.

In October 1982 the Cabinet and King approved an information policy emphasizing that the media should uphold Islam and the Sharia, oppose atheism and subversion, promote Arab interests and cooperation, and preserve the Kingdom's cultural heritage. Journals were enjoined to oppose human rights violations, expansionism, injustice, and racial discrimination abroad. Publication of articles or pictures deemed subversive or morally offensive may provoke suspension of the journal or discipline of the journalist responsible. Errant journalists are usually forbidden to publish for several months or are posted to a Saudi mission abroad; in either case their salaries are paid in full. Pictures of women rarely appear in the press. The importation of numerous books and magazines carrying material regarded as immoral or threatening to political stability or national security is forbidden. Foreign publications permitted into the Kingdom are rigorously censored to eliminate such material.

b. Freedom of Peaceful Assembly and Association

Assembly to express political views or press grievances is prohibited. Labor unions are not sanctioned nor are any known to exist.

Traditional communities, such as tribes and their subgroups, generally associate freely under their ancestral leaders. The opinions and interests of these groups are to a varying extentrepresented before the central Government by their leaders.

Non-political clubs and interest groups may be organized. Many meet regularly. Attendance at theatrical presentations and exhibitions of art sponsored by expatriates may be restricted to foreigners.

c. Freedom of Religion

Islam is the raison d'etre and the official religion of Saudi Arabia. All Saudis must be Muslim. Conversion from Islam is illegal, as is proselytizing by non-Muslims. "Volunteers" from the official Society for the Promotion of Virtue and Prevention of Vice patrol bazaars to encourage shop owners to close their establishments at prayer time and, along with pedestrians, attend daily prayers. The "volunteers" also actively discourage what they consider immodest dress, wearing of religious symbols or ornaments, and the appearance in public of women unless escorted by male members of their families. The zeal of the "volunteers" did not slacken in 1982. The situation remained less restrictive in Jidda than in Riyadh or the Eastern Province.

The Shia minority, unofficially estimated at 300,000 persons, is found almost exclusively in the Eastern Province. This traditionally subordinated group remains subject to some discrimination. Following disturbances there in 1979, the authorities made greater efforts to redress local grievances. Devotees of all Islamic sects are welcome to perform the Hajj (pilgrimage), even when their governments are bitterly opposed to the Saudi regime, but heterodox rites or practices and political activities by pilgrims are prohibited.

Non-Muslim foreigners are tacitly permitted to assemble to practice their religion discreetly in private buildings not exclusively used for that purpose. While Saudi visa applications still include the question of an applicant's religious affiliation, in recent years there has been no discernible pattern of discrimination on this basis.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Saudis may travel anywhere in the Kingdom. Customarily, women do not travel alone, but they are increasingly doing so, using the sections reserved for them in the rear of urban buses. They are not permitted to drive motor vehicles. After the Bahrain coup attempt, some Saudis in the eastern province were temporarily prevented from leaving the country, while expatriates were more frequently asked to explain their reasons for wishing to visit areas deemed sensitive. The National Guard, charged with the security of major petroleum installations, official buildings and embassies, has recently appeared more zealous. Visas continued to be granted only to businessmen and professionals with specific purposes in visiting the Kingdom, to foreigners employed there and their dependents and relatives in approved cases, and to Muslim pilgrims, who are required to leave Saudi Arabia when the pilgrimage concludes.

Both Saudis and expatriates must obtain exit permits to travel abroad. A Saudi woman must obtain written permission from her husband or nearest male relative. A Saudi male may marry a woman from a foreign country, other than one of the Gulf Emirates, only with Interior Ministry permission.

A Saudi woman requires rarely-granted official permission to marry a foreigner, who must be a Muslim. Saudis cannot take new nationality or emigrate permanently. There is no problemof repatriation. There are no known Saudi refugees.

The Kingdom has no public policy on refugees and publishes no refugee statistics. Saudi Arabia provides asylum for many Muslims, notably Afghans, Eritreans, and refugees from South Yemen, who risk persecution if they return home.

e. Freedom to Participate in the Political Process

The nexus of legitimate authority is the King. He is usually the eldest surviving son of the late King Abd al-Aziz judged by consensus as qualified to hold a senior leadership position. He is selected from among the adult male members of the House of Saud by an informal process involving consultations among (in order of importance) senior members of the royal family, religious leaders, tribal leaders, and, to a minor degree, representatives of the technocratic/bureaucratic classes and of commercial interests. Nearly all Saudis are linked with at least one of these interest groups. The opinions of the leaders of these groups are supposed to represent a consensus of the thoughts of the many individuals who comprise them.

The King appoints a Crown Prince and, as Prime Minister, selects a council of ministers through a process of consensus similar to one by which he himself was chosen. The King rules as head of state in matters secular and religious, no distinction between the two realms being made in traditional Islam. The King's legitimacy depends not only upon his descent and his selection by consensus, but also upon his adherence to the tenets of Islam; moral and administrative laxity can result in forced abdication, as occurred in 1964.

Political parties are not allowed, and there are no known organized opposition groups in Saudi Arabia. Some Saudi students abroad have reportedly organized small opposition discussion groups. Within the norms of their family, tribal, religious, or professional groups, Saudis are free to express views on political or social questions which, if endorsed by their confreres, may eventually be conveyed upward to the highest councils of state. Public opinion exists and carries weight with the authorities, who in formulating domestic and foreign policies must bear in mind the attitudes and interest of various social groups. Domestic policy is developed in the light of concern for the country's religious and social traditions. Foreign policy formulation takes into account nationalist, Arab, Islamic, and non-aligned viewpoints, the latter most warmly espoused by members of the younger Saudi generation. The deficiencies of the informal, traditional, consultative means of expressing and ascertaining public opinion have been tacitly recognized in King Fahd's allusions to the possible appointment of a consultative council.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

In 1978 Amnesty International requested that the Kingdom abolish the death penalty. That group has also expressed its concern about floggings and amputations. In late 1981, Amnesty wrote to the Minister of Interior, expressing its concern about two executions. There are no human rights groups in the Kingdom.

Unilaterally and through such organizations as the United Nations, the Organization of the Islamic Conference, and theLeague of Arab States, the Kingdom has championed the rights of Afghan, Palestinian, and Eritrean refugees and of Muslim minorities in the Philippines, Ethiopia, and Cyprus.

4. Economic, Social, and Cultural Situation

The orthodox religious beliefs and traditional social practices of the Arabian Peninsula have been preserved in remarkably unchanged form in modern Saudi Arabia. Thus, the Islamic injunction in favor of equality among believers regardless of racial or ethnic origin has guided official efforts to meet the economic and social needs of all Saudis. While many large projects have been constructed in urban areas, the government is increasingly giving attention to the development of remote provinces, both to maintain parity among regions and to help stem an over-rapid influx into the cities. The authorities, again heeding Islamic precepts as interpreted in the Kingdom, not only protect but also promote, through subsidies and concessions to entrepreneurs, the right to own property individually and in association.

The status of Saudi women reflects the religious values and social traditions of the Kingdom. They may and do inherit, own, purchase, and sell real and other property, although not on an equal basis with men. Their "bride price" returns to them in the event of divorce, and they in that instance receive custody of elementary school-age children. The Saudi tradition of segregating women from all males but their closest relatives hinders but does not nullify the exercise of these Sharia-based rights. This segregation also limits the fields in which women may work -- now primarily teaching, healing, and trade. The number of gainfully employed Saudi women rises constantly, and debate over sanctioning new fields in which they might work -- offering the possibility of replacing some expatriate employees -- continues. In the provision of health and education facilities, the authorities have granted disproportionate appropriations for institutions reserved for women, to compensate for earlier shortcomings. Nonetheless, the negative effects of earlier official inattention have not yet been fully overcome.

The vast petroleum revenues available to the Kingdom have enabled the Government to move toward the improvement in all Saudis' living standards, which was proclaimed as the objective of Saudi development efforts in 1975. Massive outlays have been made to develop the road, telecommunications, and electricity networks. Concessional loans are available to those wishinq to build private homes. Health care is free and access to it unimpeded. Education is free through the university level, while graduate study abroad for male Saudis is heavily subsidized. Per capita GNP was estimated at $11,265 in 1980.

No census results have been published; the usual estimates of the indigenous population are about five million. Infant mortality statistics are not available, but life expectancy at birth was calculated at 54 years in 1976. In 1980 births per thousand per year were estimated at 49 and deaths at 18, yielding an annual population growth rate of 3.1 percent. In 1975 an estimated 97 percent of urban and 64 percent of all Saudis enjoyed access to safe water, much of it produced by expensive desalination plants; since then, government effortshave brought safe water to all but the nomads, a small minority of the population. Calorie intake was estimated at 88 percent of nutritional requirements in 1976-79.

The Saudi authorities intend to eliminate illiteracy in 1991. Estimated at only 15 percent in 1970, adult male literacy had risen to 48 percent and adult female literacy to 36 percent by

1981, according to official figures, which yielded an overall literacy rate of 42 percent. In 1981, it was announced that 879,000 Saudis were enrolled in school, including adults. In 1976-79, according to international aid agency estimates, primary school attendance was 59 percent (boys 74 percent, girls 44 percent). Efforts accelerated in the late 1970's to accommodate all applicants for undergraduate education within the Kingdom were sustained in 1982, with the expansion of several universities and colleges.

Apart from the rapidly declining minority of Saudis clinging to the nomadic way of life despite official inducements to settle down, build a house, and use free schools and clinics, financial poverty is evident only among immigrant laborers and shopkeepers, particularly those illicitly resident in the Kingdom. Immigrant laborers remit as much of their earnings as possible. Those without valid visas are exploited by unscrupulous employers. Saudi Arabia's labor code is generous, including maternity leave, and is enforced by Labor Ministry inspectors and special labor courts; labor attaches from countries sending large numbers of laborers also help maintain standards. Wages are determined by market forces; most disputes arise over hours, working conditions, housing, remittances, and responsibility for repatriation when contracts conclude. Strikes are not permitted, and expatriates organizing labor demonstrations risk summary expulsion.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: SAUDI ARABIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
TITLE I-TOTAL.........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER...........	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
OTHER US LOANS..........	9.7	0.0	0.0
EX-IM BANK LOANS.......	9.7	0.0	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	2.1	1.2	0.0	27.1
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	0.0
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	2.1	1.2	0.0	24.6
OTHER-UN	0.0	0.0	0.0	2.5
EEC	0.0	0.0	0.0	0.0

SRI LANKA

Sri Lanka is a constitutional democracy with a French-style executive president independent of the parliament, a system created by the 1978 Constitution to replace the Westminster-style parliamentary system that prevailed during the first 30 years of independence. On October 20, 1982, President J.R. Jayewardene was returned to the presidency with a 52.9 percent vote.

Rather than holding the general (parliamentary) election that is due before the expiration of the six-year term of the current Parliament in August 1983, the Government called for a national referendum on a constitutional amendment which provides for an extension of the term of the sitting Parliament for an additional six years. On December 22, 1982, the voters of Sri Lanka approved the extension of Parliament by a 54 per cent majority.

Sri Lanka has maintained its adherence to democracy despite the strains posed by tensions among the various ethnic groups in the population, primarily between the majority Sinhalese, who make up 74 percent of the population, and the "Ceylon" Tamils (12.6 percent), elements of which have been demanding greater autonomy or independence. Other major groups are the "Indian" Tamils (5.5 percent) and Muslims (7.1 percent).

On two occasions in 1982, the Government imposed a nation-wide state of emergency as a measure to prevent the spread of violence. The first, of a month's duration, was declared in July in the wake of clashes between Muslims and Sinhalese groups in the southwest city of Galle.

The second state of emergency was declared after the polls closed for the October 20 presidential election in order to give the Government additional authority to stem violence that is traditional in Sri Lanka after national elections. The post-election state of emergency was unanimously approved by the Parliament on October 28, with the support of opposition parties. The Government later twice extended the state of emergency and, as of December 23, it remained in effect. Opposition parties objected to both of the extensions, arguing that it was not proper to conduct a referendum/campaign while emergency provisions were in force.

A nighttime curfew was imposed on the northern district of Jaffna on October 28 in an effort to track down up to fifteen terrorists of the Tamil Tigers who attacked the Chavakachcheri police station on October 27, killing three policemen and wounding two others. The curfew was lifted the next day.

Basic human rights are protected by the 1978 Constitution, and due process is a hallmark of Sri Lanka's legal system inherited as part of the British colonial legacy. National security concerns have led the Government, however, to resort to extraordinary measures to deter and combat terrorism. The principal legislation, which provides for arrest without warrant and extended detention, is the 1979 Prevention of Terrorism Act. It is aimed primarily at northern Tamil separatists whose terrorist acts include the murder of 27 policemen in the last five years, 14 of those in 1982.

While combatting terrorism, the Government of President Jayewardene has also continued to engage the leaders of the Tamil United Liberation Front, the major party in Parliament representing the Tamils on Sri Lanka's northern and eastern coasts, in an ongoing dialogue. The talks are intended to defuse tensions, reduce misunderstandings, and implement a system of local government which devolves control of some local development funds to development councils in every district of the nation. As part of the accommodation process, the Government during the summer of 1982 paid compensation to the victims of the police violence that occurred between May 31 - June 2, 1981, in Jaffna in the wake of the assassination of two police constables by Tamil terrorists.

1. Respect for the Integrity of the Person, Including Freedom from:

   a. Killing

As in previous years, assassination units of the Tamil Tigers in 1982 continued their attacks on policemen and soldiers in Jaffna Peninsula in Sri Lanka's far north. Fourteen policemen were killed there in 1982.

On June 7 and 8, the Tigers struck at innocent civilians with a package bomb campaign that traumatized Jaffna Peninsula and disrupted the rail and postal networks of the country. A boy picked up a package lying by the side of a street in Jaffna on June 7 and died when the package detonated. One day later, a package bomb exploded in a mail car of a train bound for Colombo from Jaffna, killing two postal employees and injuring eight others.

The Tamil Tigers represent the most militant and violent element of a movement by some Ceylon Tamils in Sri Lanka's northern and eastern coastal regions to seek an independent Tamil "Eelam" (separate Tamil state). Terrorist operations are funded by the booty taken during bank robberies and burglaries. There is increasing evidence that a number of expatriate Tamils are sending substantial contributions to various organizations -- both violent and non-violent -- which espouse the creation of a separate Tamil state. Military and police intelligence officials believe that some Tamil Tigers have received guerrilla training at former Palestine Liberation Organization camps in Lebanon.

Arbitrary killings by agents of the Government are forbidden by the fundamental rights chapter of the Constitution. There were no known allegations of such killings in 1982.

   b. Disappearance

There were no allegations of disappearances in 1982.

   c. Torture

Although the Constitution of Sri Lanka clearly states that "no person shall be subjected to torture....," police and military authorities reportedly resort to hazing and other abuses, primarily on male Tamil youths from Jaffna district and other areas in the north, to elicit information concerning the activities and whereabouts of Tamil Tigers. Many youths taken into custody and detained for indefinite periods of time under the provisions of the Prevention of Terrorism Act are alleged to have been tortured by military personnel at two army prisons.

Under the Constitution, any Sri Lankan citizen who believes that his fundamental rights have been infringed may file an application for redress to the Supreme Court. The application, however, must be filed within one month of the act of infringement. In September, three justices of the Supreme Court heard a case which charged four policemen with assault with fists and rifle butts in June 1982. The court, while not charging the police officers, did rule that they had submitted a false report (alleging that the victim had hurt himself while in a drunken state) and also condemned the magistrate who remanded the alleged violator for 14 days without judicial review. While the Supreme Court decision was welcomed by civil rights groups in Sri Lanka, there is criticism that a 30-day period is not long enough to permit an individual to make a proper application to the court.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Such brutality as may occur in Sri Lankan detention centers is reported to be generally directed against persons who have neither been formally charged nor given a prison sentence; it is an aspect of "interrogation" rather than a conscious government policy.

Prisons in Sri Lanka are both crowded and primitive; poor conditions are a function of penal philosophy and a lack of funds.

e. Arbitrary Arrest and Imprisonment

In the wake of a series of assassinations of political figures and policemen by the Tamil Tigers, the Government in 1979 acted to counter the increasing terrorism with enactment of the Prevention of Terrorism Act. The far-reaching Act permits detention for an initial period of three days before a court appearance is required and allows preventive detention of up to 18 months, if ordered by the Minister of Internal Security. Police and military authorities continued to make widespread use of the Act to take into custody and detain Tamil youths during 1982.

Under normal circumstances, citizens are protected against arbitrary arrest and imprisonment by an article of the Constitution which reads: "No person shall be arrested except according to procedure established by law. Any person arrested shall be informed of the reason for his arrest." An arrested person must normally be produced within 24 hours before a magistrate, who may authorize further detention for certain serious crimes. An accused person may be detained up to three months without bail, and longer if a court so rules.

Tamil legal circles reported that as of the end of October 1982, 61 Tamils were in custody under the Prevention of Terrorism Act, at least three of whom had been incarcerated without charge since May 25, 1980.

With the imposition of a state of emergency on October 20, 1982, and the Government's intensive investigation of alleged assassination plots and plans for widespread post-election violence by the defeated Sri Lanka Freedom Party, a number of party officials were taken into custody without charge under emergency provisions; some of them are still under detention, and there is no indication yet when they will be formally charged. Among the more prominent detainees is Vijaya Kumaranatunga, high-ranking Sri Lanka Freedom Party official, son-in-law of former Prime Minister Sirimavo Bandaranaike, and prominent activist on behalf of presidential candidate Hector Kobbekaduwa.

Another prominent Sri Lanka Freedom Party official, Secretary General Ratnasiri Wickremanayake, whose main responsibility was to organize the opposition's anti-referendum campaign, was detained on November 10, 1982 in connection with an incident reported to have occurred in 1980. Mr. Wickremanayake was released conditionally on November 23.

f. Denial of Fair Public Trial

Sri Lanka follows the British common law tradition, and the legal profession and the court system are held in high esteem. Both the Constitution and the law provide, under normal circumstances, that persons are entitled to a fair trial in a competent court, to be represented by counsel, to be informed of the charges brought against them, and to have access to the evidence against them. Trial by jury is the custom in Sri Lanka, although the Prevention of Terrorism Act requires trials by justices only, on the grounds that juries in such cases can be intimidated. Defendants may appeal convictions to the Court of Appeal and, ultimately, to the Supreme Court.

Trials for capital crimes during the past year seem to have taken place within approximately 12-15 months after the accused were arrested. Delays in trials occasionally occur, however. A leading English-language Colombo newspaper reported on September 26 that two remanded prisoners were still awaiting trial after four and seven years, respectively. Remanded prisoners are particularly affected by delays, for unlike charged persons out on bail, remanded prisoners will not get a remission for the time they wait in prison and must serve the full sentence that is finally imposed.

The President appoints the Chief Justice and all the judges of the Supreme Court, Court of Appeal, and the High Court. A Judicial Service Commission, comprised of the Chief Justice and two Supreme Court Judges, appoints, transfers, and dismisses all lower court judges and magistrates. The judiciary at large is independent and jealous of its status and its rights.

g. Invasion of the Home

Search or arrest warrants are required to enter premises in ordinary circumstances. This requirement is eroded, however, by the Prevention of Terrorism Act, under which police officers above a certain rank are not required to have warrants to enter and search any premises in which there is a presumption or evidence of support to or involvement with terrorist activity.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

While the Constitution entitles every citizen to "freedom of speech and expression, including publication," it also states that fundamental rights "shall be subject only to such restrictions as may be prescribed by law in the interests of national security."

The Government controls two of five major newspaper groups and owns the Sri Lanka Broadcasting Corporation and national television station. Such control constrains, but does not preclude, criticism against the Government. There is a wide range of smaller publications -- daily, weekly, and monthly -- many of which are organs of political parties. Independent publications complain of government pressures to control criticism. There is, nevertheless, an active expression of differing views in the press. Under the Public Security Act, direct censorship may be invoked and, in the wake of the island-wide declaration of emergency on July 30, 1982 (following violence involving Sinhalese and Muslims in Galle), the Government also imposed censorship. This applied only to communal news and remained in effect through August 29, 1982, including the trial period of two people accused of killing policemen.

On October 21, military authorities in Jaffna, invoking enabling provisions of the regulations governing the state of emergency then in force (following the presidential election), sealed the Tamil separatist newspaper "Sutantiran." Its current edition was alleged to contain "highly inflammatory" material (said to be a picture of a Tamil youth tortured in a military prison) which was considered by authorities as a threat to peace. Copies of the paper sent to vendors were confiscated.

On November 2, 1982, also invoking provisions of the emergency regulations, the Government closed the "Aththa" newspaper, a major Sinhalese daily and organ of the Communist Party. "Aththa" had strongly supported Sri Lanka Freedom Party candidate Hector Kobbekaduwa during the recent presidential election campaign and has since vigorously opposed the extension of the life of the present parliament. On October 29, the paper carried a statement by the Sri Lankan Communist Party condemning the referendum and subsequently repeated the contents of a telegram which the Civil Rights Movement in Sri Lanka had sent to the President protesting the holding of the referendum and the manner in which the referendum bill was pushed through Parliament without opportunity for public debate. "Aththa" was reportedly closed by the Government as a measure to prevent it from serving as a vehicle to incite post-election violence. The editor, the publisher, and the proprietor of the Mahajana Press, which publishes "Aththa," have petitioned for the reopening of the paper and for compensation for financial losses they have incurred since the paper was closed.

There is no evidence of interference in scholarly research at Sri Lankan colleges, universities, and research institutes; nor have there been any instances of harassment or persecution of professional groups during the past year.

Terrorist activities of the Tamil Tigers in Sri Lanka's far north have had a dampening effect on normal political activity there. Since the assassination in May 1981 of the leading United National Party contender for the Jaffna District Development Council, politicians supporting the ruling party in the north have been circumspect in their legitimate political activities. Both the possibility of terrorist activity or intimidation during the October 20 presidential election campaign and a call for a boycott by the Tamil United Liberation Front motivated voters in Jaffna District to keep away from the polls. Only 46 percent turned out to vote, in contrast to the national average of 81 percent.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly generally is not restricted except when emergency provisions are in force. Political and other rallies may be held in public places, subject to permits. During a state of emergency, however, no political party is allowed to hold political processions or street demonstrations.

There are more than 1,500 registered trade unions in Sri Lanka. Under the law, unions have the right to organize, to bargain collectively, to lobby, and, in the private sector, to strike. While workers in the factories of Sri Lanka's free trade zone northeast of Colombo are not members of unions, they do participate in the activities of company "associations." Employees of the public sector are governed by the provisions of the Essential Public Services Act of 1979 which gives the Government the authority to ban strikes in essential sectors of the economy and provides stiff penalties for violations.

The largest unions in Sri Lanka are associated with political parties. The Jatika Sevaka Sangamaya of the ruling United National Party is the largest public sector union. The Ceylon Workers Congress, the largest union representing the Indian Tamil tea estate laborers, is associated with the AFL/CIO in the United States and regularly sends delegates to major meetings.

c. Freedom of Religion

The fundamental rights chapter of the Constitution declares that "every person is entitled to....the freedom to have or to adopt a religion or belief of his choice." Reflecting the fact that 69 percent of the Sri Lankan populace are Buddhists, a special chapter of the Constitution entitled "Buddhism" provides that the "Republic of Sri Lanka shall give to Buddhism the foremost place" and states that it shall be the "duty of the state to protect and foster the (religion of the Buddha)." The present United National Party Government has devoted considerable funds and attention to the preservation and construction of temples and monasteries.

Despite the favored Constitutional position of Buddhism, Hindus, Muslims, and Christians practice their religion freely in Sri Lanka, and religious differences _per se_ do not serve as a basis for discrimination in government services or benefits.

To safeguard the interests of minority religions, two cabinet ministers are assigned additional portfolios of Minister of Muslim Affairs and Minister of Hindu Affairs.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation.

Freedom of movement within the country and the right to choose one's place of residence are guaranteed by the Constitution and permitted in practice. The present Government of Sri Lanka, which came to power in 1977, lifted the former exit visa requirement and now permits virtually unimpeded emigration by any Sri Lanka citizen. Free emigration has opened up possibilities of better-paying jobs in the Middle East, where many Sri Lankans (estimates run between 100-150,000), including Tamils, Sinhalese, and Muslims, now work. Women are not subjected to different rules regarding travel. The right to voluntary repatriation is specifically guaranteed by an article which states that "every citizen is entitled to the freedom to return to Sri Lanka."

The Government of Sri Lanka is extremely reluctant to permit refugees from foreign lands even temporary stay on Sri Lankan soil while a permanent recipient country is being sought.

e. Freedom to Participate in the Political Process

Sri Lanka is a multiparty democracy with an executive president and a popularly elected parliament. Six of eight general (parliamentary) elections since independence have resulted in a change of government. Voter participation is high -- over 80 percent. The October 20, 1982 Presidential election returned President J. R. Jayewardene to another term in office. There have been no confirmed reports of tampering with the electoral process.

Opposition parties function freely, operate their own party newspapers, and are covered in the national news media, although they are not satisfied with the type of coverage accorded them on radio and television and in the papers controlled by the Government. No political parties are banned, but all must meet certain qualifications to appear on the ballot as recognized parties.

Under the proportional representation system of elections provided for by the 1978 Constitution, parties must poll at least 12 1/2 percent in an electoral district in order to have the votes gained by the party list of candidates count towards allocating seats. The minor parties consider the 12 1/2 percent cutoff point too high and complain that the proportional representation system, as presently constituted, will effectively shut small parties out of the political life of the nation. However, with the electorate's approval on December 22, 1982, of the constitutional amendment which extends the term of the present Parliament for six years, the proportional representation system will not come into use until the next general election, which is not required until 1989.

Sri Lankan women have equal suffrage, equality under general law, and equal property and inheritance rights. They play a prominent role in the society, and organizations like the Jaycees have men and women members. Under the personal laws of various ethnic groups, there are some limitations on women in those groups. Women are believed to exercise their vote extensively but play a much more limited role in the political process and decision-making. One of Sri Lanka's best-known women is former Prime Minister Sirimavo Bandaranaike, head of the Sri Lanka Freedom Party. Mrs. Bandaranaike has taken an active role in opposing the Government's referendum proposal, even though she is prevented from a more active political life and is barred from elective office by a seven-year suspension of her civic rights imposed by a 1980 commission judgment which found her to have exceeded her powers during her 1970-77 term as head of the Sri Lankan Government.

One group which has not yet been fully integrated into the political, social, and economic fabric of Sri Lanka are the so-called Indian Tamils, whose forebears were brought from southern India by the British in the 19th and 20th centuries to work in the Ceylon tea estates. A bilateral agreement negotiated in 1964 between India and Sri Lanka was intended to resolve the citizenship status of an estimated 975,000 "stateless" Indian Tamils over a period of 15 years (a subsequent amendment extended the period to 17 years). During this period it was agreed that 600,000 Indian Tamils (plus any children born to them after 1964) would be granted Indian citizenship and repatriated to southern India; 375,000 (plus offspring) would be granted Sri Lankan citizenship. When the 17-year period ended on October 31, 1981, India announced that the agreement had lapsed and that no more applications for Indian citizenship would be considered after that date. As of July 31, 1982, 295,160 Indian Tamils covered by the 1964 agreement (plus 97,697 later offspring) had been repatriated to India; an additional 103,636 (plus 44,894 later offspring) granted Indian citzenship are still in Sri Lanka pending repatriation. A total of 171,176 (plus 52,178 later offspring) of the envisaged 375,000 have been granted Sri Lankan citizenship. The Government of Sri Lanka believes that the 1964 pact is still valid; in the Government's view, the pact remains in effect until all 600,000 of the Indian Tamils originally covered by the pact are granted citizenship and physically repatriated to India. There is no indication that India is willing to negotiate further at this time.

3. Government Attitude Regarding International and Non-governmental Investigations of Alleged Violations of Human Rights.

Sri Lanka on February 3, 1982, acceded to two additional human rights conventions, the International Convention on the Elimination of All Forms of Racial Discrimination, and the International Convention on the Suppression and Punishment of the Crime of Apartheid. In September, Sri Lankan constitutional lawyer Dr. Joseph A. L. Cooray was elected a member of the United Nations Human Rights Commission.

Amnesty International sent a two-person team to Sri Lanka in early 1982 to update the organization's information. The Colombo press reported on October 27 that Amnesty International had recently written to President Jayewardene requesting discussions with the Government of Sri Lanka about the implementation of recommendations contained in an Amnesty memorandum sent to the Goverment in May 1980. The Government, according to the press account, had not yet replied to the memorandum. Full details of Amnesty's 1982 report have been published in the Sri Lankan press. The report stated Amnesty's concern about the use of the Prevention of Terrorism Act and allegations and reports about arbitrary arrest, torture, and deaths of prisoners. Freedom House rated Sri Lanka as "free" in 1982.

A number of local civic and human rights organizations monitor and criticize human rights violations in Sri Lanka through public seminars and the publication of newsletters, press releases, and communications to the Government. Among the most active are the Civil Rights Movement of Sri Lanka and the Movement for Inter-Racial Justice and Equality. A representative for Asia of Amnesty International resides in Sri Lanka, but her concerns are more regional than local.

4. Economic, Social, and Cultural Situation

Sri Lanka is an island nation of 15 million people about the size of the state of West Virginia; its northernmost part lies 18 miles off the southeast coast of India. Since independence in 1948, successive governments have tried to alleviate illiteracy, hunger, and disease in the context of an enlightened democratic system.

Although primarily an agrarian society (tea, rubber, and coconuts are the main export crops), Sri Lanka seeks to expand its industrial sector, particularly through the establishment of foreign-owned factories in the Investment Promotion Zone near Colombo. To energize the stagnant economy, the United

National Party Government liberalized import and export licensing and exchange and price controls, introduced tax incentives to attract foreign investment, and launched a massive capital investment program in 1977.

A Sri Lankan citizen has a life expectancy at birth of 68 years. The infant mortality rate is 37 per 1,000 live births (1978). The latest population growth rate provided by the Government is 2.2 percent, as compared to the 1970-80 rate of 1.7 percent.

While health care is widely distributed and, in principle, freely accessible to the people, there are still not enough facilities to accommodate the number of people requiring a hospital bed or a physician. In 1980, it was estimated that there was one hospital bed for every 300 persons and one physician for every 6,000 persons. A major hospital of 1,001 beds donated by the Government of Japan is being constructed in the new capital city of Sri Jayewardenapura (eight miles east of Colombo). In present hospitals, there are frequent shortages of medicines. Power outages, equipment malfunctions, shortage of trained personnel, and labor strikes complicate the provision of health services, and some facilities are quite old. Communicable diseases continue to pose a major problem, and outbreaks of cholera and diarrheal diseases occur because of inadequate supplies of potable water and poor sanitation facilities. Medical facilities are not evenly distributed throughout the country. Of particular concern to the Government is the condition of the Indian Tamil tea estate laborers in the hill country. Their rate of infant mortality is 75 per 1,000 live births, twice the national average.

Since 1977, there has been a steady increase in rice production and yield. In general, food is available, as reflected in the 96 percent ratio of calorie supply available for consumption relative to nutritional requirements. The poorest, however, find it more difficult now to maintain their level of food intake because of high prices.

For a developing country, Sri Lanka has a high literacy rate of 87 percent, reflecting traditional Sri Lankan emphasis on education and over a century of British influence on educational development. The de-emphasis of English in 1956 under the first Sri Lanka Freedom Party Government resulted in an entire generation of Sri Lankans without adequate instruction in the language. As a result, Sri Lankans are now finding it difficult to qualify for government and private sector jobs that require a knowledge of English.

As a preliminary step to reforming the educational system, the Government prepared a "white paper" on education and presented it to Parliament in January 1982 for discussion. The paper envisages placing more emphasis on the teaching of English, increasing the proportion of admissions in the universities based on merit rather than quotas (in order to keep standards at a reasonably high level), and offering private schools the opportunity to join the national system. Opposition political groups seized on the "white paper" as another issue with which to confront the Government and mounted a series of street demonstrations, leading to postponement of future action.

As with health, education facilities are not evenly distributed. Most affected by the imbalance are the children of Indian Tamils working in tea and rubber estates. Although their schools are now integrated into the national educational system, many Indian Tamil children are not receiving an education that is up to the standards of the rest of the island. Too many still drop out of school after a few years. The adjusted primary school enrollment ratio estimated for 1976-79 is 94 percent (male 98; female 90).

Despite its high literacy rate and other encouraging indicators, Sri Lanka remains a poor country with many sectors of the economy badly in need of development. The per capita gross national product is roughly $270 (1981 figure). While entrepreneurs and farmers have benefited from incentives and fixed prices introduced by the present government, many others, particularly low-level government employees on fixed incomes, urban unskilled laborers, and tenant farmers, have suffered from the effects of an inflation rate which has ranged as high as 40 percent in recent years. Currently it has dropped to 10 percent in line with worldwide trends. Unemployment is officially estimated at 15.3 percent (1981), down from about 24 percent in 1977.

Up to 150,000 Sri Lankans are believed to be working in Persian Gulf countries for several times the salary that they would be making in Sri Lanka. While creating shortages of trained personnel at home, the outflow of Sri Lankans has benefited the country greatly by repatriating large amounts of foreign exchange. A recent report estimated the amount of 1982 remittances at nearly $300 million, an amount that may exceed the earnings from Sri Lanka's traditional number one foreign exchange earner, tea.

Sri Lankan citizens have the right to acquire, hold, and dispose of property. Legislation passed during the 1970-77 regime limits a family to one house per individual and allows landowners to hold up to 50 acres of land per individual in the family. House and property laws apply equally to all Sri Lankan citizens. Resident non-citizens, including long-term guest residents and Indian Tamils who have not acquired Sri Lankan citizenship, are not permitted to own property.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: SRI LANKA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	60.3	70.8	70.8
LOANS..............	49.6	61.1	58.7
GRANTS.............	10.7	9.7	12.1
A.AID	31.4	46.1	48.5
LOANS..............	25.8	43.8	42.0
GRANTS.............	5.6	2.3	6.5
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	28.9	24.7	22.3
LOANS..............	23.8	17.3	16.7
GRANTS.............	5.1	7.4	5.6
TITLE I-TOTAL..........	23.3	17.3	16.7
REPAY. IN $-LOANS.....	23.3	17.3	16.7
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	5.1	7.4	5.6
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	5.1	7.4	5.6
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.0	0.0	0.0
PEACE CORPS......	0.0	0.0	0.0
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.1	2.1
LOANS..............	0.0	0.0	2.0
GRANTS.............	0.0	0.1	0.1
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	2.0
C.INTL MIL.ED.TRNG....	0.0	0.1	0.1
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	60.3	70.9	72.9
LOANS..............	49.6	61.1	60.7
GRANTS.............	10.7	9.8	12.2
OTHER US LOANS..........	0.0	0.3	11.3
EX-IM BANK LOANS.......	0.0	0.0	11.3
ALL OTHER..............	0.0	0.3	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	200.0	75.8	80.1	864.4
IBRD	0.0	0.0	42.7	115.6
IFC	0.3	23.1	2.0	32.0
IDA	151.5	0.0	0.0	355.4
IDB	0.0	0.0	0.0	0.0
ADB	42.2	47.8	35.4	279.4
AFDB	0.0	0.0	0.0	0.0
UNDP	6.0	4.8	0.0	63.2
OTHER-UN	0.0	0.1	0.0	17.8
EEC	0.0	0.0	0.0	0.0

SYRIA

The Syrian Arab Republic is, according to its Constitution, a representative democracy, but throughout most of its history since achieving full independence in 1946 it has been under some form of authoritarian rule. Hafiz al-Assad, who became President via the military in 1970, rules Syria in the name of the Ba'ath Party. The party has the announced goals of secular socialism and Arab unity; however the long-term feud between the Syrian and Iraqi factions of the Ba'ath Party has resulted in the two regimes' support for reciprocal subversion and for terrorist acts against each other in third countries. Assad and other members of the minority Alawite Muslim sect (10 percent of the population) dominate the Government and the Ba'ath Party and constitute the majority of the leadership in the military and security forces. The regime's tight control of the Syrian political system and its willingness to use whatever force is necessary to maintain its position have enabled it to remain in power for an unprecedentedly long period (12 years) in a country previously characterized by political chaos.

Syria has a mixed economy, but socialism is upheld as the ultimate goal of the Government. Most industry -- roughly 75 percent -- is owned by the state. Private business and investment are also active, but are closely controlled by the Government.

Periodic outbreaks of violence against the regime have occurred during Assad's rule, with major outbreaks occurring in every year since 1979. The Muslim Brotherhood, a banned, secret organization of largely Sunni Islamic fundamentalists, is dedicated to the overthrow of the Government and has been the principal source of anti-regime activity. Some elements of the organization have engaged in armed insurrection or acts of terrorism against the Government. In 1980 the Government made membership in the Brotherhood punishable by death. Efforts to suppress the organization during the period 1979-82 produced a series of massacres in the northern Syrian cities of Hama, Homs, and Aleppo. Thousands of suspected Muslim Brotherhood members were summarily executed during this period, frequently after brutal treatment or torture. The Government also clamped down on non-violent sources of dissent during this period, arresting the leaders of the hitherto-independent lawyers' and engineers' syndicates in 1980 and placing the groups under regime control.

Israel has occupied the Golan Heights, in southwest Syria, since 1967. Israel withdrew from portions of the area in 1974 under the provisions of the Disengagement Agreement with Syria. In December 1981 it extended Israeli law, jurisdiction, and administration to the Golan areas still under occupation. Human rights conditions in the Golan Heights are covered under Israeli-occupied territories.

Syrian military units have controlled large areas of Lebanon since 1976, originally as the principal contributor to the Arab Deterrent Force, which was formed by the Arab League in response to the 1975-76 Lebanese civil war. Although the Government of Lebanon invited the Syrian forces in 1976, it now seeks both Syrian and Israeli withdrawals. Despite their original role as peacemakers, the Syrians have at times been charged with serious human rights violations in Lebanon. These events are covered in the Lebanon report.

The June 1982 Israeli invasion of Lebanon brought Syrian troops into conflict with Israeli forces. As a result, Israel held approximately three hundred Syrian prisoners of war and Syria held between three and six Israeli prisoners of war.

Syria has supported a number of terrorists groups that have engaged in killings outside of Syria.

Political rights are sharply limited, mostly to President Assad and the small elite around him. Media censorship is endemic. Activities which the state considers to be threats to its security can lead to detention without charge, severe prison sentences, mistreatment, torture, or execution. The Government neither acknowledges human rights violations nor facilitates outside investigations of allegations of human rights violations.

During 1982, the Syrian regime continued to suppress freedom of speech, press, association, and assembly and to limit participation in the political system. It pursued dissident elements, carried out cordon-and-search operations without judicial safeguards against invasion of the home, carried out large-scale arrests, in many cases causing persons to "disappear," and continued to engage in torture and other brutal practices. For the third straight year, anti-regime activity by the Muslim Brotherhood in Hama resulted in harsh repression by government forces. The suppression of the 1982 uprising was particularly severe, resulting in the destruction of major parts of the city, the death of thousands of people, and the injury of many more.

There were no indications during 1982 that any trend toward a more open political system or toward greater respect for the integrity of the person.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Several thousands of persons are estimated in third country press accounts to have been executed by the Syrian Government for political dissidence since 1979. Additional thousands - including innocent bystanders - were killed or executed during Government sweep operations and attacks on areas of dissident activities.

In February 1982, members of the banned Muslim Brotherhood in the city of Hama attempted an armed resurrection, reportedly seizing several Government buildings. The insurrection was reportedly touched off by an unsuccessful Government raid on a Muslim Brotherhood hideout in Hama. Dissident elements were heavily armed and hiding in buildings in the center of the city. After a number of Government security personnel were killed trying to root them out, the Syrian army was ordered to seal off Hama and use artillery and other heavy weapons, levelling major portions of the city. Evidence on the number of people killed is scanty because the Government restricted access to the city for some time, and has attempted to stifle information on events there. Nevertheless, there have been press accounts that several thousand persons were killed. The Muslim Brotherhood also killed an unknown number of soldiers and civilian supporters of the Syrian Government.

A car bomb explosion near the Ministry of Information in Damascus February 18, 1982 killed several people. Four other bombing incidents occurred in Damascus in the latter half of 1981, one of which killed 200 people. The Muslim Brotherhood is believed to have been responsible for at least some of these incidents. There have been allegations of Syrian involvement in the September 14 bomb assassination in Beirut of Lebanese President-elect Bashir Gemayel and 26 other persons.

Abu Nidal and the "Black June" terrorist organization - an anti-PLO Palestinian offshoot of the Fatah targetted against PLO, Israeli, and Western interests - have sometimes enjoyed support and protection from the Syrian Government. The Syrian-based Shia group, the Iraq Movement of the Mujahideen, claimed responsibility for the car bombing which killed 30-60 people at the Ministry of Planning in Baghdad in August 1982.

b. Disappearance

Although no reliable figures are available, it is estimated by press accounts and some informed observers that up to 1,000 inhabitants of Hama still are missing and unaccounted for. Some private citizens in Syria claim that, in general, people arrested by the police are sometimes never heard from again--families are not notified, nor are detainees allowed to contact their next of kin.

c. Torture

There have been numerous credible reports of torture being used, primarily during arrest and interrogation periods. The Syrian Penal Code prohibits the use of torture and establishes severe penalties for those employing such practices. There are no reports or official acknowledgements of punishment of security or police officials for acts of torture, however. According to Amnesty International, commonly used methods of torture in recent years include beatings, whipping of prisoners suspended in tires, beatings on the soles of the feet, cigarette burns, sexual molestation, and electric shocks.

d. Cruel, Inhuman or Degrading Treatment or Punishment

Little detailed information is available about Syrian prison conditions. No international organizations, such as the International Committee of the Red Cross, are allowed access to detention facilities. Persons charged with or convicted of criminal offenses are held separately from those charged with political and security offenses. Health care, food, and access by family members for persons held in ordinary prisons are reputed to be adequate. Conditions at prisons where political and security prisoners are held are reported to be more severe; visits by family members, for example, are not allowed, and Amnesty International has indicated concern about inadequate health care and the extensive use of torture. In addition, there are other reports, which have not been verified, that many people wounded during the government barrage on Hama were forbidden medical treatment and left to die.

e. Arbitrary Arrest and Imprisonment

The Syrian Constitution guarantees life, liberty, and personal security. The civilian legal code, modeled after French law, provides for due process for the accused, although it permits pre-trial detention for indefinite periods during the investigative process. Under the state of emergency, which has been in force since 1963, these safeguards can be suspended, and an individual may be held indefinitely without charge or trial, especially in political and security cases.

The number of people currently held without trial or charge is not known, but may be significant. Approximately 20 Ba'ath Party officials and Government members of the previous regime have been under detention since 1970. According to press accounts, a large number of military officers, possibly as many as 150, were reportedly arrested in January 1982 in connection with an alleged coup plot, but no confirmed details are available.

In October 1982 the Syrian Government released nine members of the Lebanese Phalange Party whom it had detained in Lebanon. Six of them had been held since 1978, the others since 1980.

f. Denial of Fair Public Trial

Persons charged with security or political offenses fall under the jurisdiction of military courts or of the state security court. Under this system, the accused has no right to a judicial determination of the basis for his pre-trial detention and may not choose his lawyer; counsel is appointed by the court. All court sessions are closed. Official information on the number of individuals tried by those courts or on the verdicts rendered is not available. Defendants in civilian courts are entitled to legal representation of their choice; if they cannot afford an attorney, the court appoints and pays for a lawyer. Civilian courts impose no restrictions on the lawyer in representing his client and allow the right of appeal. In some cases, political considerations can affect the course of trials or verdicts.

g. Invasion of the Home

The Syrian legal system provides safeguards, including the requirement to obtain judicial arrest and search warrants, before police are allowed to enter private homes. These procedures are generally followed in cases relating to ordinary crimes. Regulations under the state of emergency currently in effect suspend these safeguards in security-related cases. During security operations in Syria, such as in Hama in February 1982, there were house-to-house searches by security personnel who entered private residences with no warrants. This practice has been common during the past three years.

It is widely suspected in Syria that electronic serveillance by the government of residents in Syria is common.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Public criticism of the Government, of the Ba'ath Party, and of their institutions is not permitted. The broadcast media and publishing houses are wholly owned and operated by the Government and the Ba'ath Party and usually give only the official views on Government policies and all other important issues. On the few occasions when there is criticism of governmental bodies or operations, it is sanctioned criticism which is directed at administrative failings. Officials above the middle ranks are rarely, if ever, criticized.

Imported foreign printed matter and films generally are not censored. However, some foreign literature, usually fiction and non-fiction about the Middle East, is banned if considered critical of Syria. Control is much stricter on materials in Arabic. Censorship is exercised through censorship offices in the Ministries of Information and of Culture and National Guidance. The postal system operates a separate censorship of mail, but it does not check every letter or package. The widespread belief that electronic eavesdropping by the government is common acts as a constraint of freedom of expression.

Aside from a few church-run, private, primary and secondary schools that are carefully inspected and follow the Ministry of Education curriculum, schools at all levels are government-operated. Teachers are not permitted to express or expound ideas contrary to government policy, although in practice there is more openness of expression at the university level.

b. Freedom of Peaceful Assembly and Association

Public meetings, assemblies, or demonstrations can occur only with the acquiescence of the government and usually occur at the instigation of the government or the Ba'ath Party.

Professional organizations and labor unions are active and well-organized, but they function as parts of the government apparatus and are primarily used to transmit instructions and information from the Syrian leadership to their members. Unofficially, the unions also function as means to keep the leadership informed of grievances and concerns at the grass-roots level. Strikes are forbidden by law in Syria.

c. Freedom of Religion

The Syrian government is dominated by members of the Alawite sect, a minority (10 percent) of the population, which is predominantly Sunni Muslim. Alawites hold a disproportionate share of prominent political and military positions, and Sunni Muslim, Christian, Druze, and Jewish citizens face varying degrees of discrimination. In 1981, there was an incident in which a Ba'ath Party youth group rampaged through Damascus, ripping off head scarves of some traditionally dressed Muslim women and insulting them. Details of the 1982 Hama incident show that the Alawi-Sunni tension included religious dimensions. A large number of mosques in Hama were demolished following the fighting. Large-scale proselytizing is discouraged in order to avoid tension between the various religious groups. For some years Seventh Day Adventists have been forbidden by law to practice their religion, and all Adventist church property has been confiscated.

The Syrian Jewish community, now approximately 3,500 - 4,000 persons, exists under close governmental scrutiny and is denied political participation. However, Jewish religious practices are observed without harassment.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Travel within Syria is unrestricted except in the security zones of the Golan. All Syrian citizens wishing to travel abroad must obtain passports and exit visas. In theory any Syrian can be required to post a bond which would be forfeited in case of non-return. Syrian Jews, however, are the only category routinely required to post such a bond, which varies from $2,000 to $10,000, depending on the person's position in the community and economic standing. In 1982, Syrian Jews found it easier to travel overseas, although an official ban on the emigration of Jews continued. The Syrian government continued its policy of not issuing passports to all the members of a Jewish family at the same time.

The government forbids overseas travel in the case of certain categories of citizens, e.g., persons liable for military service, and pharmacists, architects, and engineers trained in Syria at public expense who have not yet completed a five-year government service obligation. Those who attempt to travel illegally are subject to fines and detention. Emigration is not discouraged for groups other than those mentioned above.

There are no formal restrictions on repatriation of Syrian citizens, although political opponents of the regime might be subject to arrest if they returned to Syria. There have been no reports of revocation of citizenship by the Syrian government.

There is a large Palestinian community in Syria estimated at 200,000 people, who are predominantly refugees from the 1949 and 1967 Arab-Israeli wars. Several thousand Lebanese and Palestinian refugees entered Syria in 1982 fleeing Israel's invasion of Lebanon. Many refugees participate fully in the Syrian economy; they experience little discrimination by virtue of their refugee status. There have been no incidents of forced repatriation of refugees to Lebanon from Syria.

e. Freedom to Participate in the Political Process

Syria is ruled by President Hafiz al-Assad and a group drawn from the small Alawite confessional minority that uses the ruling Ba'ath Party as its instrument. Popular participation in the political process is severely restricted. The Constitution stipulates that the Ba'ath Party is the leading political organization within Syria. Several other parties are permitted by law, but they exercise little actual political power and are subordinate to the Ba'ath Party. There is no legal political party which is in active opposition to the Government. All legal political parties participate in the Progressive National Front, a mechanism which in theory is the highest political organization in the country. Two political groupings are currently illegal: the Syrian Social National Party, which was banned by decree in the 1950's after carrying out a series of assassinations against Government officials, and the Muslim Brotherhood, some elements of which have carried out assassinations and acts of political violence.

Candidates for Parliament are selected by the ruling Ba'ath Party and, in theory, by four other parties which comprise the Progressive National Front. Opposition lists of independents are offered but rarely prevail probably because of the Front's far greater resources and organization and because of restrictions on freedom of expression. No independents were elected in the most recent elections, in 1981.

The equality of women is guaranteed by the Syrian Constitution. In practice, however, opportunities for women are limited by social and religious custom and tradition. The women's union works to expand the participation of women in all sectors of society, utilizing the media and a network of chapters throughout Syria to convey its message.

As a political system dominated by one religious group, Syria does not afford the Sunni majority or the non-Alawite minorities equal opportunities for political participation.

3. Government Attitude Regarding International and Non-Governmental Investigation of Alleged Violations of Human Rights

The Syrian Government reacts to charges of human rights violations in Syria either by claiming that they are an intrusion in Syrian internal affairs or by ignoring such charges altogether. The last visit to Syria by Amnesty International delegates occurred in March 1978; its periodic inquiries since then have received no response. The 1982 Amnesty International Report, covering 1981, expressed concern over detentions of hundreds of political prisoners, detentions without trials, summary procedures in trials of political prisoners by state security and military courts, the use of torture, the death penalty, extra-legal executions, and disappearances. Special concern was expressed over increasing reports of human rights violations by the security forces, particularly the Special Defense Units. The International Islamic Commission on Human Rights issued an appeal to the Syrian Government in February 1982 to halt "acts of blind violence perpetrated indiscriminately by the security forces against the population of the town of Hama in particular and against the population of Syria in general." Freedom House, in its 1982 survey, Freedom in the World, categorized Syria as "not free."

The Syrian Government regularly participates in United Nations conferences on human rights and a Syrian representative chaired a November 1982 meeting in Tunis of an Arab League committee on human rights. The only internal group monitoring human rights ceased to exist in practical terms after some of its officers were arrested in April 1980.

4. Economic, Social, and Cultural Situation

Syria has a population of 9.3 million and a per capita GNP of $1,340. It has, in recent years, made substantial progress in raising the adult literacy rate to 53 percent and in expanding the areas where electricity (42 percent total, 85 percent urban, 10 percent rural) and adequate safe water (75 percent total, 80 percent urban, 20 percent rural) are available. Traditionally, Syria has been an agricultural country growing wheat, cotton, barley, and tobacco. Since independence, however, it has built a substantial industrial base focusing on textiles, food processing, and light manufacturing. Although the Government is the sole purchaser of many agricultural commodities, most agricultural land is privately owned. With respect to industry, Syrian observers estimate that roughly 15 percent of industrial production originates with private sector, small-scale factories. Recently, Syria has undertaken several large-scale industrial projects, totally Government-owned, to manufacture cement, fertilizer, and chemicals, refine petroleum, mine phosphate, and roll steel. Petroleum extraction (8.3 million tons in 1980) has been a primary source of foreign exchange in recent years, although declining production and greater local consumption have begun to erode the positive contribution oil exports have made to Syria's balance of trade.

Although primary and secondary school enrollment is at a lower level for females than males, equality of the sexes is a stated objective of the Syrian Government and one which statistics indicate it is pursuing with some success. Eighty-four percent of primary and 35 percent of secondary school age females are enrolled in schools. One hundred percent of primary school age males attended school and 60 percent of secondary school age males were enrolled in 1978. Between 1960 and 1978 the life expectancy for Syrians at birth rose from 50 to 65 years. The population growth rate for the decade of the 1970's was 3.4 percent. The infant mortality rate in 1981 was 81 per 1,000. The incomes of less than a quarter of Syria's population are estimated to be below the absolute poverty level while statistics on food and nutrition indicate Syrians are able to meet all basic calorie requirements. The ratio of calorie supply available for consumption relative to nutritional requirements is 108 percent.

Within the limits of available resources, Syria can be expected to continue efforts to improve economic conditions.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: SYRIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL	1.1	1.9	0.0
LOANS	0.0	0.0	0.0
GRANTS	1.1	1.9	0.0
A.AID	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)	0.0	0.0	0.0
B.FOOD FOR PEACE	1.1	1.9	0.0
LOANS	0.0	0.0	0.0
GRANTS	1.1	1.9	0.0
TITLE I-TOTAL	0.0	0.0	0.0
REPAY. IN $-LOANS	0.0	0.0	0.0
PAY. IN FOR. CURR.	0.0	0.0	0.0
TITLE II-TOTAL	1.1	1.9	0.0
E.RELIEF.EC.DEV & WFP.	1.1	1.9	0.0
VOL.RELIEF AGENCY	0.0	0.0	0.0
C.OTHER ECON. ASSIST.	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
PEACE CORPS	0.0	0.0	0.0
NARCOTICS	0.0	0.0	0.0
OTHER	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL	0.0	0.0	0.0
LOANS	0.0	0.0	0.0
GRANTS	0.0	0.0	0.0
A.MAP GRANTS	0.0	0.0	0.0
B.CREDIT SALES-FMS	0.0	0.0	0.0
C.INTL MIL.ED.TRNG	0.0	0.0	0.0
D.TRAN-EXCESS STOCK	0.0	0.0	0.0
E.OTHER GRANTS	0.0	0.0	0.0
III.TOTAL ECON. & MIL.	1.1	1.9	0.0
LOANS	0.0	0.0	0.0
GRANTS	1.1	1.9	0.0
OTHER US LOANS	0.0	0.0	0.0
EX-IM BANK LOANS	0.0	0.0	0.0
ALL OTHER	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL	21.6	15.9	23.5	590.1
IBRD	0.0	15.6	22.0	473.4
IFC	0.0	0.0	0.0	0.0
IDA	0.0	0.0	0.0	43.6
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	5.6	0.3	0.0	44.2
OTHER-UN	0.3	0.0	1.5	9.2
EEC	15.7	0.0	0.0	15.7

TUNISIA

Tunisia is a developing country whose Arab heritage has also been influenced by its North African location and its close association with the West. Ruled by the Destourian Socialist Party since independence in 1956, it has prospered economically and politically. The Tunisian political system is dominated by the personality of President-for-Life Habib Bourguiba, but its Constitution provides for institutions of a parliamentary democracy, and its political atmosphere is one of relative openness and tolerance. Socially, it is one of the most progressive countries in the Arab world, especially concerning the rights and privileges of women. Bourguiba's Socialist Destourian Party fosters both private enterprise and state-run and quasi-autonomous companies and industries.

The Tunisian Trade Union Movement, which languished after its leaders were jailed in 1978, has now largely resumed its role as an independent, representative organization engaged in collective bargaining on behalf of Tunisian workers. Leading members of the Tunisian Islamic fundamentalist movement, convicted in 1981 on charges of unauthorized political activity, remain incarcerated. Local human rights organizations played an active role in the advocacy of human rights in Tunisia during 1982.

Political opposition groups, which have unsuccessfully sought government recognition as legal political parties, remain limited in their political activities, due in part to their inability to gain official status. The small Communist Party, which obtained government assent to resumption of its operations in 1981, carried on a standard program of political action. Regular criticism of the Government continued to appear in opposition and independent publications, although government press censorship resulted in some seizures and ultimately in the suspension of two weekly reviews.

There were no significant changes in the Tunisian human rights situation in 1982 and none are anticipated for the short term future.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

Summary execution and politically-motivated murders did not occur in Tunisia in 1982.

b. Disappearance

There were no allegations that government security forces engaged in kidnappings, midnight arrests, or secret detentions in 1982.

c. Torture

Tunisian law does not specifically proscribe torture, but the Constitution guarantees the integrity of the person. In December 1982, the Tunisian Human Rights League, a non-governmental organization, expressed deep concern over charges that a group of ten prisoners accused of planning acts of violence were tortured during their detention by security authorities. The league said that it was investigating the charges. In 1981, following the arrest of leading Islamic activists, there were allegations that they had been subjected to physical abuse by police during interrogation. In responding to the 1981 charges, Tunisian officials affirmed that the Government did not condone the use of torture or physical abuse and that, if it occurred, it was the result of misconduct on the part of individuals.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Conditions in some Tunisian prisons are poor and have drawn criticism from local legal and human rights organizations. At one point, family and friends of convicted Islamic fundamentalists charged that harsh prison conditions had deleterious mental and physical effects on the group, particularly on the two leaders of the movement. The complaints resulted in a visit by the Interior Minister to inspect prison conditions and to verify the adequacy of medical care.

Physical punishment as a corrective measure is not provided for under Tunisian law; there were no allegations of such practices in 1982.

e. Arbitrary Arrest and Imprisonment

Tunisian law grants broad discretionary detainment authority to law enforcement officers and allows persons suspected of major offenses (those punishable by imprisonment for more than one year) to be detained without trial for an unlimited investigative period before being charged or released. There is no information indicating systematic abuse of this authority. Felony suspects may be held for investigation without trial. Persons suspected of misdemeanors may be held for up to five days for questioning. Bookings may be made on the basis of suspicion alone, but continued detention requires a formal warrant. Tunisian practice dictates that a prisoner's whereabouts must be made known to legal counsel and to family; access is rarely denied for more than a few days. An exception to this practice occurred in 1981, when Islamic activists were not permitted outside contact for approximately a month. In October 1982 ten persons charged with planning to commit acts of violence were arrested and held for over one month by security authorities before being handed over to judicial authorities and given access to lawyers and families.

f. Denial of Fair Public Trial

The Tunisian Constitution stipulates that "each person will be considered innocent until proven guilty in a court where he is guaranteed the necessary conditions for self-defense." The courts appoint attorneys for accused persons who, for whatever reason, do not have counsel. Most trials are heard in regular civilian law courts, which consist of courts of first instance, appellate courts, and a Supreme Court (of appeals). A 1968 law provides for the formation of ad hoc state security courts to hear cases involving crimes against the security of the state. A 1970 law established the legal basis for constituting a high court, when necessary, to try government officials for treason. A standing military tribunal hears cases involving members of the armed forces or cases of a military nature. Each system provides for appellate procedures, with the exception of the high court, where judgment is final.

The right to a public trial is respected, and charges are made known to both the accused and his counsel before the trial. The 1981 trial of Islamic fundamentalists was held in open session in a regular court. Pre-trial public commentary tended to prejudice the outcome. However, defense lawyers were allowed to argue that the charges were political in nature, and the trial received full coverage in the press.

The 1978 State Security Court conviction of Tunisia's trade union leaders for alleged complicity in the riots that year was overturned by a Tunisian administrative court in April 1982 on technical grounds.

g. Invasion of the Home

Search warrants must be obtained from the Ministry of Justice in order to enter premises. There were no allegations in 1982 that there had been violations of the respect Tunisia traditionally accords to the sanctity of the home or to the privacy of personal correspondence.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Magazines published by opposition and independent groups are permitted to appear side-by-side with those of the ruling Destourian Socialist Party, but are required to limit criticism of government policies and avoid attacking President Bourguiba, senior officials of the Tunisian Government, or the nature of the Tunisian state. According to the Tunisian press code, publications failing to observe these proscriptions may be seized or suspended altogether. Seizures and suspensions occurred in both 1981 and 1982.

No publication may be printed or sold in Tunisia without a government permit. The numerous foreign periodicals locally available are subject to censorship and are seized from time to time. The Government owns and controls the radio and television stations. There were no allegations of the violation of academic freedoms in 1982.

b. Freedom of Peaceful Assembly and Association

Freedom of association is guaranteed by Tunisia's constitution and reaffirmed by its ratification of the Universal Declaration of Human Rights. The General Union of Tunisian Workers meets regularly with its constitutents and exercises the right to strike and organize. In 1982 strikes, generally of short duration, were frequent. Approximately 20 percent of Tunisian workers are organized. In 1982, the General Union attended the International Labor Organization meeting in Geneva. It is affiliated with the International Confederation of Free Trade Unions and with the International Confederation of Arab Trade Unions.

Opposition political groups which have unsuccessfully sought authorization from the Government to operate as legal parties remain limited in the political activities they may undertake. This limitation extends to the right to organize public political meetings. Meetings that do occur are limited and without legal foundation. The Communist Party obtained authorization to resume its functions last year.

c. Freedom of Religion

Muslims comprise 99 percent of the population, and Islam is the state religion, but the Constitution guarantees freedom of worship. This guarantee does not extend to non-Muslim proselytizing. Christians and Jews may and do freely practice their religions in Tunisia; efforts to convert others to their beliefs, however, are considered unacceptable. There is no religious discrimination in the areas of economics and employment, except that government employment is almost entirely reserved for Muslims. Tensions which arose in 1982 due to events in Lebanon culminated in anti-Jewish violence in the towns of Zarzis and Ben Guardane. The Government acted decisively to provide police protection to the Jewish community and reiterated its commitment to interreligious harmony.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Tunisian citizens are free to travel inside the country. With few exceptions, they may also travel abroad and return without restriction. From time to time, the Government has denied passports to regime critics. The process of obtaining a passport can still be time-consuming, despite reforms instituted by the Government to streamline procedures. Women enjoy the same right to travel abroad as men, although paternal permission is required for minor children to accompany them.

Approximately 60 documented foreign refugees live in Tunisia, most of whom are older and permanently settled. Foreigners are not encouraged to choose refuge in Tunisia, but the Government cooperates closely with the United Nations High Commission for Refugees. Tunisia accepted several hundred PLO fighters evacuated from Beirut in the summer of 1982.

e. Freedom to Participate in the Political Process

Both the executive and legislative branches of the Government are empowered to initiate legislation, but the executive exercises this responsibility almost exclusively. Party matters and political affairs in general continue to be dominated by Habib Bourguiba. During 1982, the National Assembly served as a forum for lively debate about such issues as political amnesty, workers' salaries, and the allocation of national resources.

In negotiations with the Government in 1982, the General Union of Tunisian Workers played a central role in shaping national wage and pricing policies. Its representatives in the National Assembly have been active on economic and union issues.

During the 1981 national legislative elections, political opposition groups (with the exception of the jailed Islamic fundamentalists) were permitted to compete along with the newly-legalized Communist Party, the General Union, and ruling Destourian Socialist Party for election to seats in the National Assembly. According to the published results of the election, the coalition of the ruling party and the General Union won all the seats, and no opposition group received even five percent of the vote. There were, however, election irregularities. Although the opposition is not present in the Government or in the National Assembly, opposition leaders continue to maintain regular informal contacts with senior government officials. High government office is generally reserved for members of the ruling party. Suffrage is universal. Women, who hold seven of the 132 National Assembly seats, are encouraged to vote and to partipate in the political process. Freedom House, in its report for 1982, classified Tunisia as "Partly Free."

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The Tunisian Human Rights League, which maintains chapters in a number of cities throughout the country, has access to senior levels of government. From time to time, it has publicized information about domestic situations which it believes merit consideration. Amnesty International, in its 1982 report covering events in 1981, said its work in Tunisia had "focused on efforts to gain the release of more than 40 prisoners of conscience, and appeal for commutation of death sentences." Amnesty also stated its concern "about reports of torture and ill-treatment of prisoners."

In the past, Amnesty International has sent representatives to attend state security trials in Tunisia. The Government has not taken a public position with regard to Tunisia-related activities of any international human rights organization.

4. Economic, Social, and Cultural Situation

Tunisia is a developing country which has made substantial progress toward raising real income levels for all segments of society and toward improving health conditions and educational opportunities for the population as a whole. The Government gives strong political and material support to mass education, family planning, and health improvement programs. Adult literacy stands at 62 percent; one third of Tunisia's budget goes to education. The infant mortality rate is 90 per 1,000 live births, and average life expectancy now extends to 60.2 years. Although its population, currently over 6,000,000, has been growing at an annual rate of 2.5 percent, Tunisia has experienced a rate of economic growth almost unparalleled in the developing world. Real gross domestic product grew an average of six percent during the past five years, although prospects for a continuation of that rate in coming years have recently dimmed somewhat. Per capita gross national product has risen to over $1,300. Despite these gains, Tunisia continues to experience difficulty in its effort to even out the significant income disparities which exist between urban and rural populations and in its efforts to extend the benefits of progress and modernization to the more disadvantaged segments of society. Improvement of the agricultural sector has traditionally lagged behind industrial development, and unemployment continues to be a major problem. New policies especially designed to tackle these problems were incorporated into the 1982-1986 development plan.

The Tunisian Government actively supports legal equality between men and women and through legislation has guaranteed equal rights in matters of divorce and child custody. Inheritance laws, modeled on traditional Koranic practices, are more restrictive, especially for non-Muslim women. Despite the egalitarian example set by the Government, traditional practices sometimes restrict women from full enjoyment of their legal rights.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: TUNISIA

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	29.0	39.8	16.7
LOANS..............	17.3	25.2	8.5
GRANTS.............	11.7	14.6	8.2
A.AID	10.9	25.3	5.0
LOANS..............	4.7	16.0	0.0
GRANTS.............	6.2	9.3	5.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	5.0
B.FOOD FOR PEACE.......	17.4	13.7	10.6
LOANS..............	12.6	9.2	8.5
GRANTS.............	4.8	4.5	2.1
TITLE I-TOTAL..........	12.6	9.2	8.5
REPAY. IN $-LOANS.....	12.6	9.2	8.5
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	4.8	4.5	2.1
E.RELIEF.EC.DEV & WFP.	3.9	1.3	0.0
VOL.RELIEF AGENCY.....	0.9	3.2	2.1
C.OTHER ECON. ASSIST...	0.7	0.8	1.1
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.7	0.8	1.1
PEACE CORPS......	0.7	0.8	1.1
NARCOTICS........	0.0	0.0	0.0
OTHER...........	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	15.6	15.7	96.2
LOANS..............	15.0	15.0	95.0
GRANTS.............	0.6	0.7	1.2
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	15.0	15.0	95.0
C.INTL MIL.ED.TRNG....	0.6	0.7	1.2
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	44.6	55.5	112.9
LOANS..............	32.3	40.2	103.5
GRANTS.............	12.3	15.3	9.4
OTHER US LOANS..........	11.5	56.9	0.0
EX-IM BANK LOANS.......	11.5	56.9	0.0
ALL OTHER.............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	199.9	157.6	217.0	1310.6
IBRD	171.0	152.6	165.0	1056.3
IFC	0.0	0.0	40.0	61.8
IDA	0.0	0.0	0.0	75.2
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	23.4
UNDP	4.9	0.0	0.0	43.5
OTHER-UN	0.0	0.0	0.0	9.4
EEC	24.0	5.0	12.0	41.0

UNITED ARAB EMIRATES

The United Arab Emirates (Emirates) is a federation of seven small traditional Arab shaikhdoms, formed in 1971 when Great Britain relinquished its 150-year-old special treaty relationship with their rulers. The Emirates are unequal in size, population, natural resources, and economic development. Abu Dhabi, the largest and wealthiest, plays a predominant role in the federation. Under Abu Dhabi's ruler, Shaykh Zayid, who also is President of the United Arab Emirates, considerable progress has been made toward formation of a centralized and effective federal government. Nevertheless, individual emirates continue to exercise extensive authority over their own economic resources and development planning, police and security forces, law courts, and social welfare policies.

The Emirates' Islamic and tribal traditions have shaped its outlook on political organization and its national leadership's attitude toward human rights. Under the provisional Constitution adopted in 1971 and still in effect, political control in each emirate remains effectively in the hands of hereditary ruling families. The rulers of the seven emirates (or their deputies) form the Supreme Council, the Emirates' highest executive and legislative body. The Supreme Council elects two of its members to be the President and Vice President respectively of the Federation. The President in turn appoints a prime minister and his cabinet. Since 1971 the Ruler of Abu Dhabi has been President, and the Ruler of Dubai has been Vice President and -- since 1979 -- Prime Minister. A Federal National Assembly of forty members appointed by the individual emirate rulers gives advice to the Government on legislation and reviews its operations.

The country has approximately 180,000 citizens playing host to 900,000 guest workers. UAE foreigners recruited from other Arab countries, South Asia, Western Europe, and the United States make up most of the work force. Many occupy key managerial, professional, and technical posts in the public and oil sectors. In order to ensure that individual expatriates do not develop a vested interest in the society the Government encourages turnover and limits the number of foreign residents allowed to bring their dependents. Nationals enjoy important benefits and privileges denied to foreign workers, and few foreigners are offered citizenship. Nevertheless the large and diverse foreign population has stirred up little resentment among Emirate citizens because they regard foreign skills and labor as essential to their own prosperity. Aliens deemed security threats or troublemakers are deported swiftly. Most foreign workers find wages and employment opportunities better than in their homelands.

There was little perceptible change in the Emirates' outlook on political organization and its attitude toward human rights during 1982. The society's basic Islamic and tribal traditions can only change gradually. In the long term, however, prospects for wider participation in the political process, and liberalization of social and governmental institutions remain good. At the time of the founding of the Federation in 1971, illiteracy and a lack of political consciousness outside of tribal affiliation was the norm. Today, education of children is compulsory and the literacy rate has risen to 60 percent. Thousands of young Emirates' citizens are presently studying at colleges in Europe and the U.S. Traditional methods of decision-making are very gradually giving way to more formal, structured, and modern practices in the context of newly established government ministries.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There were no reports during 1982 of persons having been killed for political motives.

b. Disappearance

No disappearances, clandestine detentions, or secret abductions were reported in 1982.

c. Torture

The Provisional Constitution prohibits torture. No instances of torture have been reported.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The provisional Constitution prohibits cruel or degrading treatment. Some emirates, notably Abu Dhabi, apply traditional Islamic procedures and penalties in criminal cases which are tried in religious courts. Other emirates have criminal court systems based on European models. Transgression by Muslims of Islamic laws (drinking alcohol and publicly violating the Ramadan fast) have been punished by public caning. (Caning is sometimes added to other sentences for criminal offenses.) There were a few instances of public caning administered in rape, theft, and murder cases during 1982. In the case of foreigners, deportation may occur after service of jail sentences. All sentences involving capital punishment must be approved by the ruler of the emirate in which the crime occurred. No such sentences for capital punishment were issued in 1982 and no executions occurred. Theoretically, the amputation of a hand for theft may be imposed by the Islamic courts, but in practice sentences to imprisonment or deportation are imposed instead. Prison conditions, while not comfortable due to crowding and lack of air conditioning, are tolerable. Prison diet and medical care are adequate. Prisoners are allowed visits from family members, lawyers, and, if foreigners, consular representatives. There are no reports that the authorities condone mistreatment of prisoners or that personal abuse is common either during detention or after transfer to prison.

e. Arbitrary Arrest and Imprisonment

The laws of individual emirates prohibit arrest without warrant in most cases, and prolonged detention without trial is rare. No instance of arrest without warrant or prolonged detention was reported in 1982.

Although the provisional Constitution does not specifically guarantee habeas corpus, police generally are required to report any arrest to a designated court judge within 24 hours of the arrest. The judge determines whether there is enough evidence to try the individual who is then either promptly brought to trial or released. There is no preventive detention in the Emirates.

f. Denial of Fair Public Trial

The Emirates' courts provide fair and public trials before experienced civil or religious judges. These judges are drawn mainly from other Arab countries, since there are few jurists among Emirate citizens as yet. Since foreign judges are on limited employment contracts it is unlikely they are independent enough to restrain the Government in a politically-sensitive case. The provisional Constitution provides broad judicial review powers. Except for cases clearly involving considerations of national security, rulers and their administrators do respect the independence of the courts. A ruler occasionally pardons convicted persons or reduces sentences, but then only after the court has completed its proceedings.

There are no jury trials. In civil courts the accused may be represented by counsel of his choice, but no public defender system exists. Crimes and punishments are defined by law, and the accused is presumed innocent until found guilty. In Sharia court, counsel is generally not allowed and the definition of crime and punishment is drawn from the Koran and the works of religious scholars. Public access to trials involving sensitive security or political issues may be restricted. No trials of such sensitivity were conducted during 1982. Special labor courts have been established to handle disputes between workers and employers.

g. Invasion of the Home

The provisional Constitution guarantees freedom from arbitrary search, and presentation of a search warrant is required before police officials may enter a home. There have been no reports during 1982 of police searches of homes without warrants. In prior years, police have been known to conduct searches of homes without warrants when the Government considered that national security was at stake.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Emirates' citizens are constitutionally guaranteed freedom of speech, communication, religion, and assembly "within the limits of the law." Individual citizens can express their views on a wide range of public issues without fear of official harassment. Radio and television are owned by the Ministry of Information and Culture or by individual emirate governments. There are both private and semi-official newspapers and periodicals. A press law codifies the powers of censorship, media closure, and control of reporting. In practice, quiet guidance rather than forceful edict sets the media tone. Mild criticism of government actions appeared to be permitted, particularly if it targets poor execution of government policy rather than the policy itself or the motives behind it. For example, the Ministry of Health was recently criticized by the press for not doing enough to lower infant mortality rates. There are no clear guidelines, however, as to what type of criticism is "irresponsible" and therefore not permitted. One weekly magazine, the "Al-Azmena Al Arabiyya," was closed in early 1982. The paper had been reporting on social dissatisfaction within the Emirates and frequently criticized other friendly Arab governments in the region. Visits by foreign journalists require Ministry of Information approval. Books, films, and periodicals are censored for materials considered pornographic, derogatory of the Arabs or of Islam, favorable to Israel, or critical of the ruling families. Enforcement is not rigorous. Because of the loose federal structure, material banned from publication or distribution in one emirate sometimes appears in another.

b. Freedom of Peaceful Assembly and Association

Clubs and other organizations must be licensed by the federal or emirate governments. Organized public gatherings must have a permit. By refusing to issue a license or a permit, individual emirates in effect can legally ban political activities that worry them. In June and July 1982, police officials interrogated a number of Lebanese activists who were suspected of organizing clandestine meetings with fellow Lebanese expatriates to discuss possible reactions to the invasion of Lebanon by Israel. Some of the suspected activists were deported. There were also reports of two small, peaceful, though illegal, demonstrations by expatriate Iranians in the Emirate of Dubai in conjunction with the Iran-Iraq war. Both demonstrations were dispersed by police. Three demonstrations followed the September 1982 massacres of Palestinian refugees in Beirut. They were spontaneous, but peacefully controlled by security forces. The largest numbered several thousand persons.

Labor is not permitted to organize. There are no legal provisions for the right to strike or to engage in collective bargaining. Foreign workers dare not strike for fear they might be deported. Individual laborers can bring grievances to a conciliation committee at the Ministry of Labor where they can expect fair rulings. However, due to language barriers and lack of knowledge about arbitration procedures, many laborers do not utilize this facility.

The Government is concerned about the labor conditions of foreign employees. Knowing that many have been misled by unscrupulous labor agents, the Government has tightened up considerably on visa procedures and work permits. The Government has also brought up to date a labor law covering conditions of employment, compensation, inspection, and enforcement procedures. Some economic abuse of foreign labor continues contrary to Government policy because of lack of enforcement.

c. Freedom of Religion

The provisional Constitution establishes Islam as the religion of the state. Non-Muslims (virtually all of whom are aliens) may practice their faiths so long as this "does not conflict with public policy or violate public morals." Christian churches and schools are officially tolerated and have in the past occasionally received financial support from individual rulers. However, 1982 saw stricter controls placed on both. Property along the Corniche Road in Abu Dhabi has been re-zoned to exclude churches. The two Christian churches presently on the Corniche will be rebuilt on new suburban lots provided gratis by the Government. The de facto effect of the ordinance is to reduce the prominence of the Christian profile along the city's principal thoroughfare. Restrictions forbidding religious proselytizing of Muslims by non-Muslims were emphasized. The Ministry of Education applied greater pressure on private schools to enforce stricter separation of the sexes and a general enhancement of the schools' Arabic/Islamic studies programs for their Muslim students.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

There are no restraints on freedom of movement within the country, although visits to certain areas, such as oil installations, require prior permission from security authorities. Foreign travel and emigration for all citizens are unrestricted. The right of return is extended to all citizens.

Although the country does not have formalized procedures for handling refugees or applications for political asylum, it has traditionally provided a haven for many people of the area who left their own countries for economic or political reasons. During the past year, many Iranian refugees have sought to enter the country, often illegally. Some Iranians have been allowed to remain in the country, especially those able to show that they face retribution or persecution if repatriated to Iran. In such cases permission to remain in the country is not usually granted formally -- rather, the persons involved are quietly allowed to remain. There have been a few reports, however, that boats containing Iranians were turned back by Emirates' Coast Guard vessels. The Government rejected the asylum request of Iranians who hijacked an Iranian Air Force C-130 to Dubai in October 1982. The hijackers were not allowed to deplane, and the aircraft landed in a neighboring state.

The country has extended assistance to specific groups of refugees on an ad hoc basis. The Government contributes to the UN Relief and Works Agency and the UN High Commissioner for Refugees.

e. Freedom to Participate in the Political Process

The position of the rulers in each emirate is not defined in any constitutional document but has evolved from traditional authority exercised by patriarchs in nomadic society. While primogeniture has some influence, the ruling family generally selects its most capable and respected member to wield political power. The leading clan within the tribal society, in turn, owes its position among other clans to its reputation for responsiveness and fairness in settling disputes and providing leadership. Intermarriage between the ruling family and influential families in other clans creates a web of informal channels that form the traditional basis for political participation. Rulers try to find a consensus before acting, a decision-making style that, while indecisive at times, rarely leads to harsh measures toward anyone within the tribe. Additionally, the tradition that any member of the society may petition the ruler in person keeps him from becoming remote and absolute.

The provisional Constitution, adopted in 1971 and still in force, left intact the traditional political system in the Emirates and in effect extended it to the Federal level. Executive and legislative powers remain firmly in the hands of the seven rulers meeting as the Supreme Council of the Federation who choose one of their number to act as Chief of State and appoint a cabinet. To supplement traditional channels of political consultation, the provisional Constitution has established an advisory National Consultative Council whose 40 members are appointed by the individual rulers in numbers proportionate to the size and importance of their emirates. The National Consultative Council is consulted on all laws passed by the Council of Ministers. Its views are not constitutionally binding upon the Government but in practice are given serious consideration.

So far there appears to be little pressure from United Arab Emirates citizens for formal democratic institutions. An expanding economic pie and the large number of expatriate workers have left the citizenry a privileged class and few feel aggrieved. Suffrage does not exist for either men or women. Women play no public role. Foreigners, who form the bulk of the population, are expected to refrain from political activities and jeopardize their residence status if they become so involved. Since most are on bachelor status and intend to return home with their savings, few seem to miss having a political input. Freedom House, in its 1982 report, classifies the Emirates as "Partly Free."

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

The UAE is responsive to foreign criticism of its human rights performance. Sensitivity to allegations of mistreatment of lower income foreign workers has resulted in efforts to give this group more legal protection. No human rights group visited the country in 1982. Amnesty International noted no outstanding cases of concern in its 1982 report.

4. Economic, Social, and Cultural Situation

Although income from oil exports declined slightly during 1982 due to a slack world market, the Government still has ample funds for economic and social development. Oil revenue for 1981 was $20 billion, making the per capita gross national product one of the highest in the world -- over $27,000. The per capita income of immigrant laborers from the Asian subcontinent is far below the average, but still is often three times more than most could earn in their native countries.

Medical treatment is free to all citizens and foreigners alike. Within the last decade, life expectancy for Emirates citizens has been increased from 55.4 years to 62.4 years, due to better health care and improved sanitary conditions. The 1981 UN population data shows infant mortality at 65 per 1,000 live births. This figure has aroused public concern and has prompted the Ministry of Health to review child care practices regarding sanitation and nutrition.

Abu Dhabi and Dubai, the most industrialized of the Emirates, have undertaken programs to expand the number of low-cost housing units. Water and electricity are provided residential users at subsidized prices. With only limited arable land and sparse water resources, the Emirates must import most of its food and desalinate its water. Almost the entire population has access to safe drinking water. Citizens, and in some cases foreigners, are allowed to buy basic commodities at subsidized prices.

Education is free for all academically qualified children -- both citizen and non-citizen. It is compulsory for nationals from the ages of six to twelve. Within the last two years, there has been an expansion of teacher training programs and a massive building program for new schools.

There are now some 73,505 children of all nationalities attending 283 primary and secondary schools in the Emirates. The most reliable estimates put the literacy rate at over 60 percent. Girls account for approximately 48 percent of the students enrolled in primary schools. Family conservatism and the tradition of girls marrying in their early teens have prevented many women from continuing their education beyond the primary level. This, in turn, has limited the role of female citizens in the economic and cultural life of the country. The Government is encouraging young women to pursue their education, and women are beginning to find jobs in the news media and government offices, as well as in health and education.

The largest economic enterprises are state-owned or combine state ownership with private equity participation. Otherwise, commerce is relatively unrestricted except for laws designed to ensure that the Emirates' nationals share in and control the country's economic expansion. Citizen and non-citizen rights to private property are protected under both religious and secular law. In accordance with both Islamic law and local custom, the title to previously unclaimed real property is vested in the rulers who, in turn, sell or allocate land to Emirates citizens. Citizens are also given preference in the issuance of business licenses or the right to buy shares in semi-public enterprises.

YEMEN ARAB REPUBLIC

The Yemen Arab Republic (North Yemen) is a developing country, with no proven oil reserves and few exploited natural resources. Until 1962, Yemen was a theocracy ruled by an Imam and isolated from the outside world. In 1962, a group of military officers led a republican revolution which overthrew the Imam. This was followed by a long and bloody civil war which continued until 1970. The political power that resides in the central Government is concentrated in the hands of the President. However, government authority in outlying areas is limited, and at times nonexistent. Some tribes effectively govern themselves in substantial independence of the Sanaa Government. During the past seven years, two presidents have been assassinated. There have been several attempted coups. Tensions continue along the border with the People's Democratic Republic of Yemen (South Yemen).

North Yemen is beset by problems of embryonic public institutions, uneasy coexistence of local tribal, political, and religious factions, and widespread poverty. Yemen does not have a cohesive society. It is divided along religious, tribal and geographical lines, and rugged mountains, harsh deserts, and poor roads isolate large parts of the country.

The state of human rights in North Yemen is largely governed by tribal and Islamic tradition. In this still largely non-modern society, most males bear arms and will use them to defend the integrity of their person and families. Unlike the situation in most other societies, the state has a limited capability to govern, and does not have a monopoly on the use of force. However, tribal customary law places great emphasis on fairness. The Government, as it strives to extend its control over the hinterlands, is making some efforts to involve the people in the political process by encouraging them to vote in elections at the local and national level.

Central executive authority in Yemen is exercised by the President who is also commander-in-chief of the armed forces. Recent Yemeni presidents have been military officers. The current President, Ali Abdullah Salih, assumed power as the senior military leader following the assassination of his predecessor. For legitimacy, he refers to Yemeni nationalism, specifically the 1962 Republican Revolution, economic development, and democracy. President Salih has appointed an advisory council, whose members represent a wide spectrum of political views. This advisory council, along with the Council of Ministers, advises the President on matters of state, but has little real power.

The Constitution promulgated in 1970 has been suspended since 1974 in favor of a "transitional" constitution. The principal legislative body has been the Constituent Assembly, which after a hiatus of three years, was reconstituted by presidential appointment in 1978 and since expanded to its full membership of 159. The current Constituent Assembly, all members of which are appointed by the President, has been responsible for the ratification of laws and treaties, budget review, codification of Islamic law, and provisions for new elections. It has ratified the selection of the last two presidents. In theory the assembly has had the power to reject the Government's (in fact the President's) legislative initiatives, but this power has not been exercised in recent memory. In mid-1982 President Salih announced his intention of replacing the Constituent Assembly with a new People's Consultative Assembly, the majority of whose members would be directly elected by universal suffrage. A date for these elections has not yet been announced, but it is speculated that they will take place in early 1983. One of the new Assembly's first tasks will be to promulgate a new constitution.

In August 1982, the long-awaited People's General Congress met to approve a "National Pact" stating the nation's principles of political, social, and economic organization. The pact, which will serve as the basis for the new Constitution, will be presented to the people for ratification, possibly in conjunction with elections for a new legislature. The Congress contained 700 popularly-elected members and 300 members appointed by the President. It appears that Yemeni citizens could be self-nominated, and multiple candidates were not uncommmon. The Congress also created a Permanent Committee of 50 elected and 25 appointed members to act on its behalf to supervise ratification and implementation of the pact. The Congress is elected for a four year term, and will meet every two years.

The National Democratic Front, a South Yemen-sponsored rural insurgency movement, has mounted a major political and military challenge against the Sanaa Government in central and southern regions of the country and along North Yemen's border with the South. The Front continued to be active in early 1982, and fighting between Front and Government forces was often heavy. As a result of subsequent Government military successes, the Front's geographical control has been considerably limited and a ceasefire has been effected. South Yemen has reportedly reduced its support for the insurgents and encouraged their leadership to lower the level of armed activities. The Front has frequently used terrorist methods, including assassination of tribal leaders and government officials, forced conscription into its armed bands, kidnapping of youths for "re-education" in South Yemen, the planting of mines on public roads, and the invasion of private homes. It draws military, financial, and political support from South Yemen, Libya, and Syria, and indirectly from the Soviet Union. There are indications that the Front seeks to provoke the Government into using repressive and indiscriminate means of reprisal, thus alienating further the population of the areas affected.

The immediate trend in human rights in North Yemen over the past year has been one of slight improvement. The security situation has improved and seems to have stabilized, and insurgent fighting and terrorism have receded, at least temporarily, as a result. The central Government has felt secure enough to hold local elections for local development associations and to convene a People's General Congress. The long-term trend is mixed: the Government is committed to supplying basic human needs in the countryside, but there is little likelihood that the rule of law, as understood in the West, will predominate in the near future.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

The insurgent National Democratic Front has been responsible for a number of killings in North Yemen over the past few years. These have included both the indiscriminate deaths of innocent bystanders happening to trip Front-planted land mines, and terrorist assassinations targeted at local political figures such as shaykhs or others with government associations. The claimed motive in these cases is to punish Government "stooges" and "corrupt" or "unjust" local leaders. There are no reliable figures for National Democratic Front terrorist killings, but informed estimates suggest that they number at least several hundred over the past three years. During 1982 such killings declined, due to military reverses inflicted by government forces. The Government does not utilize killing as an instrument of rule. There were reports of civilians being killed by Government fire during the fighting with the Front. Subsequently, specific measures were taken to prevent reccurence. Military and police forces occasionally have also engaged in direct conflict with tribal forces to enforce Government authority.

b. Disappearances

There have been a few cases of secret arrest and clandestine detention by the Central Organization for National Security, a security force reporting directly to the President and not governed by a particular law. These most often occur in cases of suspected espionage or other anti-government activity. Generally, friends and family soon learn of the arrest, locate the detainee, and initiate efforts for his release. If National Security concludes that the individual was innocent of such activities, he normally is released from detention within the week. Other detainees have been held for months, however, before being released or referred to a special security court. There has been a trend toward an expansion of the areas and groups over which the security forces exercise scrutiny. The National Democratic Front has practiced abductions, particularly of boys and young men in the southern part of the country who are sent to South Yemen for "re-education" and political indoctrination.

c. Torture

Koranic law, on which Yemen's legal system is based, prohibits torture, as do the Constitution and several statutes. There are credible reports, however, that police and security officials have beaten prisoners during the interrogation process to obtain confessions. There are also credible reports that the Government has not been zealous in its efforts to prevent this or to punish the perpetrators. In many parts of the country, local law enforcement and prison officials function autonomously.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

The traditional Islamic law observed in Yemen sanctions penalties such as stoning for adultery and severing of the right hand for theft; in 1982 North Yemen was one of only four countries applying these penalties. Although condoned by custom and not considered cruel or inhuman in the local context, such penalties are still imposed on occasion, but more rarely than in the past. Prisoners incarcerated in remote areas are more likely to be subjected to such customary treatment; nevertheless, one amputation was reliably reported to have taken place at Sanaa's central prison in 1982.

Prison conditions are often harsh. The state furnishes only minimal food, medicine, clothing, and amenities to prisoners. Family, friends, and legal representatives of a prisoner are allowed to visit and to bring these items to them. Treatment of prisoners -- other than those under detention by the national security forces -- is not always uniform. There is possible preferential treatment for well-off or well-connected prisoners, and there are reports of discrimination against Yemenis of mixed parentage (Yemeni-Ethiopian, Yemeni-Somali, Yemeni-Kenyan, Yemeni-Vietnamese). Prisoners without sufficient funds for legal representation or without family and friends will not receive the visits and the items mentioned above. Local custom allows criminals to leave prison and to walk about in public wearing leg irons or fetters. Such persons were occasionally seen in the capital during 1982, sometimes soliciting money to pay their fines. These measures are also used in insane asylums.

e. Arbitrary Arrest and Imprisonment

The Constitution and Government directives provide that the accused must be brought before a court within one week of arrest and tried within three to six months. According to law, police may detain a suspect for up to twenty-four hours on their own authority. After this initial period of detention, the police must present the case to the public prosecutor's office, which may approve further periods of detention for investigative purposes. These periods are definite in length, normally six to eight weeks.

Detainees are permitted access to family and lawyers. During the investigative process, lawyers are not permitted to represent their clients. Their activities are restricted to counseling the accused and attempting to insure fair treatment.

Such recourses are not always available to persons detained by security forces. There are reliable reports that arbitrary arrest and detention for periods of over six months have taken place. They include persons suspected of espionage or of supporting armed dissident activity. In the sensitive and turbulent border areas, military and police authorities tend to act swiftly against those suspected or accused of anti-government activities. The number of political prisoners is unknown.

Occasionally, one or both parties in a commercial dispute are imprisoned and then seemingly forgotten, due to apparent official indifference or inadequate record keeping. In such cases, a prisoner may remain incarcerated until family or friends are able to bring his case to the attention of higher authorities. There have been instances in which local authorities, on their own initiative, have arrested and detained individuals for lengthy periods of time on the basis of hearsay or circumstantial evidence.

The Government often uses religious and national holidays as opportunities to pardon and release prisoners, both criminal and political.

f. Denial of Fair Public Trial

There are several types of courts in the Yemen Arab Republic, including traditional Sharia (Islamic) courts, commercial courts, and special security courts.

The Sharia courts appear to be fair and impartial. The judge plays an active role in questioning the witnesses, seeking to establish the guilt or innocence of the accused. Attorneys may counsel their clients, but do not address the court or examine witnesses. The defendant is normally informed of the charges against him at the conclusion of the police investigation. There is some possibility of appeal to political authorities outside the traditional Sharia system. In the commercial court, litigants can also expect a fair and open trial with an attorney actively representing his client. The Government has worked toward -- but still has not completed -- a national codification of all criminal laws to ensure standard court procedures, rules of evidence, and the protection of the accused's rights. The Sharia and commercial courts in Yemen remain largely independent of the executive, although all decisions are subject to review and confirmation by the president.

Those charged with espionage or other anti-government activities are tried in special security courts. These courts are convened at the direction of the president to handle specific cases. Rights normally afforded the accused may be suspended in security cases. All decisions made by the security court are subject to review and confirmation by the President.

The most significant recent case of detention without complete trial seems to have ended in 1982. This was the arrest in March 1981 on espionage charges of former Foreign Minister Abdallah Al-Asnaj and Deputy Foreign Minister Ibrahim Kibsi. Asnaj's trial met for two sessions, and in mid-1982 a sentence of ten years was handed down. Kibsi has been released from jail.

g. Invasion of the Home

Residential search warrants, issued by the public prosecutor's office, are required. Traditional respect for the integrity of the home minimizes governmental invasions, which occur infrequently. The local tradition that all adult males should bear arms, especially in the countryside, also inhibits violations of privacy. National security forces, which are not regulated by a particular legal code, may enter homes without search warrants. During periods of national emergencies, such as that following the October 1978 coup attempt, searches have been conducted without warrants. "Bugging" is known to exist, but is not believed to be widespread. The National Democratic Front has frequently blown up the houses of its opponents.

2. Respect for Civil and Political Liberties, Including:

a. Freedom of Speech and Press

A number of limits on free speech exist in Yemen, but their effect is limited to the urban, literate population by the Government's incomplete control over the country. The Government does not tolerate public political dissent, which it views as potentially threatening to internal security. The Government sometimes organizes rallies to support its own policies.

The Yemen press is government-controlled. The Ministry of Information directs the television and radio, as well as the agency from which the media obtain international news items.

While the daily newspaper in Sanaa occasionally has criticized certain government policies and ministries, no criticism of the Government is found on radio or television. Under a new press law promulgated in 1982, journalists are in theory free to write what they please, but their editors may be held accountable. There was a case in 1982 of a journalist being briefly imprisoned over a mistake in spelling a word, which reflected unflatteringly on the President. In accordance with a December 1980 agreement between the Government and the National Democratic Front, the latter is permitted to publish its own official newspaper, subject to censorship. According to official statistics, this paper has a weekly circulation of 5,000. The Front in turn, agreed to close its clandestine radio station. The Ministry of Information routinely censors foreign newspapers and magazines. Books and artistic works are monitored, but not as closely.

b. Freedom of Peaceful Assembly and Association

Government security screening of visitors to foreign embassies has become less stringent in 1982. A 1981 law requiring that Yemenis secure written authorization from the Foreign Ministry before visiting foreign missions seems to be no longer observed.

There are few industrial workers in North Yemen. The country has a detailed and actively implemented labor law. Its stated intention is to protect workers from illegal or arbitrary actions by management. Under the law, independent labor unions and strikes are illegal. Despite that, an official, government-sponsored labor union was established in 1981; this appeared to be a politically motivated riposte to National Democratic Front propaganda to the effect that "workers in the Yemen Arab Republic have no rights," and it has not been active. Apart from state-run syndicates, such as for artists and journalists, few (if any) professional groups exist in North Yemen. Yemeni lawyers have in the past initiated efforts to form a professional association, but little progress has been made.

Political parties are prohibited. There are, however, identifiable political interest groupings representing the spectrum of political persuasion in the Arab world, including Baathists, Nassirists, the National Democratic Front, and the Muslim Brotherhood. Probably none of these besides the Front hold official meetings or gatherings within the country, but it does appear that at least the Muslim Brotherhood was able to coordinate strategy to contest elections -- although not openly -- to the People's General Congress and to municipal councils in 1982. Political leaders and government officials are often identified in private by their political affiliation.

Tribal, religious, and other traditional social structures offer alternative, and sometimes stronger, channels for political interest aggregation and communication.

c. Freedom of Religion

Islam is the state religion and that of the vast majority of Yemenis. Relations between the Shafe'i (Sunni) and Zaidi (Shi'ia), the major Muslim communities, have often been difficult. The Republic has done much more than the Imam's regime to provide Sunnis a sense of participation in the society, but there remains some dissatisfaction among some Sunnis. (It should be noted that the differences among the two communities are regional and rural/urban as well as religious. Nevertheless, Sunnis and Zaidis often worship in one another's mosques, and there are both Sunni and Zaidi subtribes among several of the larger tribal confederations.) The small Jewish community, estimated at about 500-600 persons, resides in remote sections of the country and co-exists without friction with its tribal neighbors. Its members are under no restriction as to movement or emigration. Muslim Yemenis frequently are heard to regret the past emigration of Yemeni Jews, many of whom were skilled craftsmen and played a special role in Yemeni society. At least one American Jewish organization has been allowed to distribute Hebrew books and materials to the Yemeni Jewish community. Foreign Christians are allowed to conduct private services and Christian missionaries are permitted to operate hospitals and clinics, but religious proselytizing is forbidden by law. There was a confirmed report of a number of Yemenis arrested in 1982 for apostasy, who were later released.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Yemenis are free to travel within the country. There has traditionally been large-scale emigration, both temporary and permanent. Remittances from Yemenis working abroad are now an important source of national revenue. A compulsory military service law limits the issuance of passports and exit visas to draft-age men. Men who have not served a year in the military service must pay an annual fee of $445 in order to emigrate and work abroad. There are no apparent government policies that restrict voluntary repatriation of Yemenis. However, some prominent figures who have political differences with the Government accept assignments abroad or opt for voluntary exile, rather than face possible prosecution in Yemen. Two former presidents returned to Sanaa from exile after invitations were issued by President Salih on the occasion of the country's National Day in 1981.

Yemen is located near several countries from which refugees have sought asylum over the years. Over 250,000 political refugees from South Yemen have been granted refuge in Yemen and have integrated themselves into Yemeni society. Such integration has not been the case with such other refugees as Ethiopians, Eritreans, and Somalis, many of whom seek economic betterment in Yemen. The Government has attempted to stem this flow; it regularly denies residence visas and asylum. There are 400-500 Yemeni-Vietnamese refugees living in a refugee camp near Taiz. Most of the refugees were granted asylum in Yemen because they had some claim to Yemeni nationality. The United Nations High Commissioner for Refugees estimated there were 4500 persons in North Yemen in 1982 who might be classified as refugees. Approximately 700 non-Yemenis associated with the Palestine Liberation Organization were given refuge in North Yemen in 1982 as a result of the war in Lebanon; most of these were Palestinians.

e. Freedom to Participate in the Political Process

Yemen is governed by the President, who is also commander-in-chief of the armed forces and secretary-general of the People's Congress. There are no legal political parties in Yemen. Yemenis rely on efforts of such traditional leaders as tribal shaykhs and military officials to influence government decisions. Political decisions in Yemen often reflect the influence of these leaders, whose support is essential for the continued effectiveness of the Government. In wide areas of Yemen, traditional leaders have greater authority than the central Government. Tribal shaykhs are usually chosen by the male adult members of a traditional ruling family from among themselves, although they generally can retain their authority only by leadership satisfactory to the bulk of the men of the tribe. The central Government's ability to impose unpopular courses on the population is limited less by constitutional mechanisms than by the ever-present possibility of popular resistance by a heavily armed populace.

The President appointed a 40-member "Committee for National Dialogue" intended to draw up plans for a "National Pact." The draft pact was debated, revised, and promulgated by the 1,000-member People's General Congress held in August 1982. The National Pact is a statement said to embody a consensus about the desired course of the country's society, to be incorporated in an eventual new constitution.

President Salih has also announced plans for general elections for a new consultative assembly, the date for which is still to be determined. Elections were held in January 1982 for the councils of the two hundred local development associations (local cooperatives). Elections for municipal councils were held in November 1982. These elections represented an attempt to involve people in political and economic policy decisions at the grass roots level. There were multiple candidates, and citizens may nominate themselves to election to office. All citizens eighteen years of age or older, male or female, have the right to vote. The elections exemplify what seems to be a trend on the part of the central Government to encourage participation in the political process and to display greater respect for the consensual aspect of governing in North Yemen.

3. Government Attitude Regarding International and Non-governmental Investigations of Alleged Violations of Human Rights

According to available information, there have been no requests by international or non-governmental organizations to investigate human rights concerns in 1982. As noted above, an American Jewish organization was permitted to visit Yemen's Jewish communities in 1981 for philanthropic purposes. The government-controlled press carries occasional articles on human rights discussion abroad, but not in Yemen. Amnesty International's 1982 report, covering 1981, did not include the Yemen Arab Republic.

4. Economic, Social and Cultural Situation

The Yemen Arab Republic is a poor country of 6.1 million people (with a population growth rate estimated at 2.3 percent) which is seeking political stability and economic development. Powerful internal and external factors constrain the country in both of these fields. Real economic and political development of the country dates only from the end of the Yemeni civil war in 1970. The direct political challenge to the North Yemen Government by the National Democratic Front, supported by South Yemen and others, has had a negative impact upon the economic life of the country during the past year.

Statistics on Yemen should be treated with caution. Agriculture continues to be the most important sector of the economy, employing 70 percent of the domestic work force, but producing only 33 percent of North Yemen's total economic output. It has suffered from the emigration of able male workers and is gradually shrinking relative to other sectors of the economy, particularly the service and construction sectors. Most of the country is still characterized by a subsistence economy and traditional tribal social organization. Much remains to be done in providing a modern infrastructure, especially in the fields of health and education.

Life expectancy in 1982 was 42.2 years. This represents a 10 percent gain over the previous decade. Infant mortality runs about 211.6 per 1000 live births. Approximately the same percentage of children die before the age of five.

Doctors are scarce, ranging from approximately one per 25,000 to one per 55,000 inhabitants. Only about four percent of the population has access to safe drinking water. According to recent statistics, this percentage has risen in the countryside over the last decade, due to urban migration (fewer people, not more safe water), but has significantly declined in the cities (45 to 30 percent). Statistics for nutrition (calorie consumption) have improved by 15 percent over the last decade. They now stand at 91 percent of minimum daily requirements.

The official literacy rate is 16 percent compared to 10 percent in 1970. It is far lower for women; official Yemeni figures estimate that only two percent of Yemeni females can read, and perhaps half of these can also write. This reflects school attendance figures, skewed by social and economic factors. While 30 percent of eligible children attend primary school, the figure for males is 50 percent and for females, only seven percent. This nevertheless represents a greater advance in female enrollment over the past decade than for males (250 percent vs. 100 percent). Similar increases in female enrollment, although starting from an even lower base, are noted in secondary and higher education. The above represents a small but growing trend to erode the masculine bias of a highly traditional Middle Eastern country.

North Yemen is a highly conservative Muslim society. Seclusion and heavy veiling of women are the norm. Otherwise, it is a fairly egalitarian country, although one social class, the "Akhdam" or "servants," continues to exercise its traditionally marginal occupations such as street sweeping. There are reports of harsh circumcision customs, both male and female, in the Tihama lowlands, but these are isolated practices.

Yemen is unusual among Middle Eastern countries in that there exists much less disparity of wealth and poverty than elsewhere. Per capita gross national product was $461 in 1980. The precise annual rate of inflation is unknown but seems to have declined over the past two years. Although liberalized emigration and military service policies have permitted more Yemenis to work abroad (current estimates range between .8 and 1.2 million), there has been a net decline in the amount of their remittances, from about $1.5 billion in 1979 to $1.3 billion in 1980, and to an estimated $1 billion in 1981. This has been partly caused by lower salaries and higher costs abroad, but also reflects a growing sophistication and use of off-shore banking facilities by emigrants, who also are now more likely to bring accumulated wages home in the form of a truck or consumer goods. In addition, remittances increasingly seem to be avoiding Yemeni banks by going directly to emigrants' families in the countryside. While it was estimated that in fiscal year 1978-79, remittances added some $245 to per capita income, in 1982 it is unlikely that they reached as much as $200 per capita. While figures are not available for the percentage of Yemenis living below the poverty line, small slum areas have grown up around the major cities, and relative poverty seems more a problem in the cities than in the country. It is likely that as the percentage of the population engaged in agriculture decreases, and in the absence of a sizeable industrial investment program, urban poverty with its attendant problems will increase.

Yemenis traditionally have been well-housed in most areas of the country. Statistics on persons per room are unavailable, but the 1981 statistical yearbook claims that houses average five inhabitants throughout the country. This reflects the traditionally decentralized population pattern and can be expected to deteriorate as the Yemenis increasingly cluster in modern urban agglomerations. All Yemenis, women as well as men, enjoy the right to own private property. Many farmers own their own land, although sharecropping is not unusual. Those who rent dwellings in the cities usually own a house in their home village. The Government encourages private investment and industry, although many in the private sector appear intent on limiting investment to concerns with a potential for quick returns.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: YEMEN ARAB REPUBLIC

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	13.4	20.7	25.7
LOANS..............	0.0	5.0	0.0
GRANTS.............	13.4	15.7	25.7
A.AID	11.6	19.4	23.3
LOANS..............	0.0	5.0	0.0
GRANTS.............	11.6	14.4	23.3
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.7	0.3	1.2
LOANS..............	0.0	0.0	0.0
GRANTS.............	0.7	0.3	1.2
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.7	0.3	1.2
E.RELIEF.EC.DEV & WFP.	0.7	0.3	1.2
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	1.1	1.0	1.2
LOANS..............	0.0	0.0	0.0
GRANTS.............	1.1	1.0	1.2
PEACE CORPS......	1.1	1.0	1.2
NARCOTICS........	0.0	0.0	0.0
OTHER............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.5	0.9	12.2
LOANS..............	0.0	0.0	10.0
GRANTS.............	0.5	0.9	2.2
A.MAP GRANTS..........	0.0	0.0	1.0
B.CREDIT SALES-FMS....	0.0	0.0	10.0
C.INTL MIL.ED.TRNG....	0.5	0.9	1.2
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	13.9	21.6	37.9
LOANS..............	0.0	5.0	10.0
GRANTS.............	13.9	16.6	27.9
OTHER US LOANS..........	0.7	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER.............	0.7	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	28.6	5.1	0.0	247.8
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	3.2
IDA	22.5	0.0	0.0	201.3
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	6.1	0.1	0.0	35.3
OTHER-UN	0.0	5.0	0.0	5.0
EEC	0.0	0.0	0.0	0.0

THE PEOPLE'S DEMOCRATIC REPUBLIC OF YEMEN*

The People's Democratic Republic of Yemen (PDRY, or South Yemen) is a one-party state, dominated by a Marxist political party dedicated to restructuring the economic and social order. The ruling Yemeni Socialist Party derives from the National Liberation Front, which came to power at independence in 1967 following protracted civil conflict with competing nationalist/revolutionary groups. The current President, Ali Nasser Mohammad, came to office in mid-1979, upon the resignation of his predecessor, Abdul Al-Fatah Ismail. Ismail had gained office in 1978 after winning a power struggle within the ruling Party. Ismail's predecessor, Salim Rubay'i Ali, was executed.

The Yemen Socialist Party hierarchy comprises the governing elite. Policy questions are decided by a small group of party and government officials. The Party/governmental leadership has often demonstrated extreme, bitter factionalism. Officials losing power struggles have been executed, placed under house arrest, or forced into political and social obscurity.

South Yemeni society in recent years has experienced profound and traumatic changes. Much of the territory of the country outside the capital of Aden still existed in an extremely traditional state at independence. Since independence, Aden's leaders have sought to eliminate the traditional tribal forces and to subject tribal groups to Party and central government control. As a result, entire classes, such as traditional tribal leadership, religious elements, and the private business community have virtually disappeared from the society.

Settlement of the nomadic bedouins has been a major government effort. The Government has also sought to limit the influence of the mercantile community in Aden. As a result of these efforts to restructure traditional society, large numbers of South Yemenis, perhaps 300,000 - 500,000 (15 percent-25 percent of the population), have left the country.

South Yemen has been a supporter of terrorism. It has in the past given aslyum to aircraft hijackers and has allowed its territory to be used by several groups for the training of international terrorists. The National Democratic Front, a Marxist-led insurgent group, has been conducting a violent conflict with North Yemen government forces out of sanctuaries in South Yemen with the knowledge, support, and encouragement of the Aden Government. A number of Front members have enjoyed official status within the Yemeni Socialist Party. Since a meeting between the heads of state of North and South Yemen in May 1982, a relatively stable truce has been effect, under which Yemen Arab Republic (North Yemen - YAR) security forces have reoccupied some areas from which the National Democratic Front has withdrawn, and an undetermined number of Front leaders and fighters have accepted a North Yemen amnesty. The South Yemen Government has withdrawn military support from the National Democratic Front.

*The United States maintains no diplomatic mission in Aden. The People's Democratic Republic of Yemen severed diplomatic relations and expelled all United States personnel in 1969. In view of the closed nature of the regime and the lack of an American presence there, it is difficult to obtain information on the human rights situation.

During the 1970's, a similar group, the Popular Front for the Liberation of Oman, conducted an insurgency in Oman from sanctuaries in South Yemen. The Omani and South Yemeni Governments negotiated an accord in late 1982 designed to stabilize their border area and to improve bilateral relations.

South Yemen's Constitution purports to guarantee a wide range of human rights. In practice, South Yemen is a tightly controlled state where the rights of individuals are subordinated to the economic and political interests of the ruling party and state. Freedom House, in its report for 1982, classifies South Yemen as "Not Free."

1. Respect for the Integrity of the Person, Including Freedom from:

a. Killing

There is no evidence of killings by the Government. Possible cases of execution without trial or after secret trial are treated under "disappearances." There have been no reports of indiscriminate killing by dissident or bandit groups. Government forces have been effective in controlling historically-endemic tribal warfare.

b. Disappearance

In addition to trials and jailing of thousands of political opponents and the flight into exile of hundreds of thousands, many opponents of the regime have disappeared. The 1982 Amnesty International report, covering 1981, states that organization's concern about prisoners of conscience and refers to hundreds of people who disappeared between 1967 and 1975. Freedom House in its 1982 report also noted hundreds of disappearances. In 1982 Muhammed Said Abdullah al-Sharjabi (alias Muhsin), the South Yemen ambassador to Bulgaria and former security chief, was arrested upon arrival at Aden airport. Muhsin has not reappeared and was reportedly tried in secret and executed shortly after his arrest.

c. Torture

Although the Constitution prohibits torture, there have been reports, from Freedom House among others, that torture is practiced. These have been denied by the Government.

d. Cruel, Inhuman, or Degrading Treatment or Punishment

Prison conditions in South Yemen are reported to be poor, with inadequate sanitary facilities, monotonous and meager rations, and harsh treatment. In 1982, Amnesty International expressed concern over prison conditions in South Yemen, including serious deficiencies in hygiene, food, health care, and the overall treatment of prisoners.

e. Arbitrary Arrest and Imprisonment

Individuals are reportedly thoroughly investigated prior to arrest, and arrest practices follow legal requirements. No information is available regarding how arbitrary the definition of a crime might be, however. Amnesty International has reported the cases of officials of the pre-independence federal Government imprisoned without charge or trial since 1967, as well as of other political prisoners similarly detained since 1970-1975. The last available estimate (1976) was that there might have been as many as 10,000 political prisoners in South Yemen at that time, but no current statistics are available. Freedom House in 1982 referred to thousands of political prisoners.

f. Denial of Fair Public Trial

No reliable information is available. Early in 1982, a group of alleged saboteurs were given a "show" trial, featuring their public confessions, which was widely covered by Aden television and other media. Other people, such as Abdullah al-Sharjabi, may have been tried secretly.

g. Invasion of the Home

The Constitution guarantees the sanctity of the home, except in connection with "actions affecting the security of the revolution and in accordance with the law." There were no reports in 1982 of violations of traditional mores which support the privacy and integrity of the home from forceful entry.

2. Respect for Civil and Political Rights, Including:

a. Freedom of Speech and Press

Freedom of the press is guaranteed by law. However, the public media are state-owned and operated and under the supervision of both Government and Party officials, particularly the Information Ministry. Foreign publications are known to circulate freely once unofficially introduced into the country. Those foreign newspapers and magazines normally sold within South Yemen are known to have been occasionally censored.

South Yemeni law requires that anti-regime and anti-Party statements be reported, and a widespread informant system reportedly exists, placing a severe constraint on the exercise of free speech. According to reports, international mail and telephone communications and the communications of suspect individuals are monitored on occasion.

b. Freedom of Peaceful Assembly and Association

Apparently no unsanctioned public or professional associations operate openly, and reports indicate that except for traditional religious and tribal functions, non-sanctioned public gatherings and associations are not allowed. The Government has made a concerted effort to suppress traditional tribal identification. Government-sponsored labor unions are under close Party control.

c. Freedom of Religion

The Constitution declares Islam to be the state religion, but guarantees freedom of religious expression. In practice, the Government has attempted to minimize the influence of religious leaders, and a large number of religious leaders were arrested during the late 1960's and early 1970's. According to recent reports, a group of young Islamic dissidents, arrested for alleged anti-governmental activities in 1982, were subsequently released without further punishment.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.

The Government controls departures from Yemen. Exit permits are required and are not freely provided. South Yemeni citizens are free to travel within their province of residence without restriction, and without special documentation among the other provinces except for some restricted security areas.

e. Freedom to Participate in the Political Process

Political power in South Yemen is concentrated within the highest levels of the Yemeni Socialist Party, a political party organized along Marxist cadre lines. Personal and factional allegiances play a major role in decision-making by the Party leadership. The losers in factional struggles for power have sometimes suffered exile or even execution. The Constitution guarantees the right to vote to males and females over the age of eighteen, and elections are regularly held. However, only Party-approved candidates may contest elections at any level, and no other parties or political action groups are permitted.

3. Government Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Amnesty International delegates were last permitted to visit a prison in 1975. South Yemen has not replied to repeated requests from Amnesty International for information about prisoners. In its 1982 report, Amnesty International stated that it continued to work for the release of prisoners of conscience in South Yemen.

4. Economic, Social, and Cultural Situation

The People's Democratic Republic of Yemen has a population of 2.0 million, with a per capita income estimated at $520 in 1980. Almost one-fourth of the population lives in the area of Aden, about 150,000 are nomadic bedouin, and the rest are scattered in the rural areas. It is estimated that more than 150,000 men work in the oil-producing states of the Gulf and Saudi Arabia, and their remittances constitute a crucial source of foreign exchange. Some 40 percent of the labor force is employed in agriculture, which produces 12.6 percent of GDP.

Life expectancy at birth was 45 years in 1980, up from 36 years in 1960. Between 1970 and 1979, the rate of population growth was 2.3 percent, compared to 1.9 percent in the previous decade. The 1980 population growth rate was 2.9 percent.

Education and health care are free and the Government has made a major effort to increase the literacy rate. Foreign visitors have been impressed by the number and appearance of school children visible on the streets of Aden. Current estimates place 72 percent of school-age children in primary school. The Government requires illiterate adults to attend literacy classes. The number of hospitals has increased dramatically since independence, and there are a number of social welfare centers. Equality of both sexes is guaranteed by law. Foreign visitors report seeing numerous women actively engaged among the labor force. Polygamy, child marriage and arranged marriage are prohibited.

Poverty is widespread and there are frequent food shortages in South Yemen. Because of severe financial constraints, only a small percentage of the budget is devoted to domestic development; current accounts constitute the bulk of government spending. South Yemen has acquired large amounts of Soviet military equipment in recent years, but the terms of payment and the consequent impact on other sectors of the economy are unknown.

In 1982, South Yemen suffered a major natural disaster in the form of widespread flooding. Substantial housing and economic infrastructure losses occurred, leaving as many as 60,000 homeless. Roads, dams, levees, and entire villages were washed away. International experts have stated that even with adequate financial assistance, at least five years will be required for recovery.

Even prior to the flooding, South Yemen suffered an extreme housing shortage. Housing is in particularly short supply in Aden, and waiting lists are long. It is almost impossible for single persons to obtain housing. Living space is rationed according to the size of the family unit. Foreign visitors have remarked on the existance of "shanty towns" on the outskirts of the city. Housing applications are initiated through the basic level organization of the Yemeni Socialist Party. All furnishings must be rented through the state.

Basic food items which are in short supply, such as rice, sugar, and cooking oil, are rationed. Recent estimates indicate that the caloric intake declined from 91 percent of normal nutritional requirements in 1970 to 81 percent in 1978.

Reports indicate that there is little private business. The Government has recently moved to attract South Yemeni nationals living abroad to return by expanding private business opportunities. Foreign visitors have reported that much of the local retail trade is carried out by small, regulated private businesses, although some reports suggest that the latter conduct only a small percentage of this trade.

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: YEMEN, PEOPLES DEM REP OF

	1980	1981	1982
I.ECON. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.AID	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0
B.FOOD FOR PEACE.......	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
TITLE I-TOTAL..........	0.0	0.0	0.0
REPAY. IN $-LOANS.....	0.0	0.0	0.0
PAY. IN FOR. CURR.....	0.0	0.0	0.0
TITLE II-TOTAL.........	0.0	0.0	0.0
E.RELIEF.EC.DEV & WFP.	0.0	0.0	0.0
VOL.RELIEF AGENCY.....	0.0	0.0	0.0
C.OTHER ECON. ASSIST...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
PEACE CORPS.......	0.0	0.0	0.0
NARCOTICS.........	0.0	0.0	0.0
OTHER.............	0.0	0.0	0.0
II.MIL. ASSIST.-TOTAL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
A.MAP GRANTS..........	0.0	0.0	0.0
B.CREDIT SALES-FMS....	0.0	0.0	0.0
C.INTL MIL.ED.TRNG....	0.0	0.0	0.0
D.TRAN-EXCESS STOCK...	0.0	0.0	0.0
E.OTHER GRANTS........	0.0	0.0	0.0
III.TOTAL ECON. & MIL...	0.0	0.0	0.0
LOANS...............	0.0	0.0	0.0
GRANTS..............	0.0	0.0	0.0
OTHER US LOANS...........	0.0	0.0	0.0
EX-IM BANK LOANS.......	0.0	0.0	0.0
ALL OTHER..............	0.0	0.0	0.0

ASSISTANCE FROM INTERNATIONAL AGENCIES

	1980	1981	1982	1946-82
TOTAL........	23.1	1.9	0.0	115.0
IBRD	0.0	0.0	0.0	0.0
IFC	0.0	0.0	0.0	0.0
IDA	22.2	0.0	0.0	84.3
IDB	0.0	0.0	0.0	0.0
ADB	0.0	0.0	0.0	0.0
AFDB	0.0	0.0	0.0	0.0
UNDP	0.9	0.3	0.0	21.4
OTHER-UN	0.0	1.6	0.0	9.3
EEC	0.0	0.0	0.0	0.0

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Africa:												
Angola							x					
Benin	x				x	x	x					
Botswana	x	x			x	x	x					
Burundi					x	x	x					
Cameroon	x				x	x	x					
Cape Verde												
Central African Republic	x	x		x	x	x	x		x	x		
Chad					x	x	x					
Comoros												
Congo	x	x		x	x	x	x					
Djibouti		x			x	x	x					
Equatorial Guinea												
Ethiopia	x	x		x	x	x	x	x				
Gabon				x	x	x	x					
Gambia, The	x	x			x	x	x	x	x	x		
Ghana	x	x		x	x	x	x	x				
Guinea	x	x		x			x		x	x		
Guinea-Bissau					x	x	x					
Ivory Coast	x	x			x	x	x					
Kenya	x	x			x	x	x		x	x		
Lesotho	x	x		x	x	x	x	x				
Liberia	x				x	x	x	x				
Madagascar	x	x		x	x	x			x	x		
Malawi	x	x		x	x	x						
Mali	x	x		x	x	x	x	x	x	x		
Mauritania				x	x	x						
Mauritius	x	x		x	x	x			x	x		
Mozambique												
Niger	x	x		x	x	x	x					

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Africa–Continued												
Nigeria	x	x		x	x	x	x					
Rwanda					x	x	x	x	x	x		
Sao Tome and Principe					x	x	x					
Senegal	x	x		x	x	x	x		x	x		
Scychelles	x	x			x	x	x					
Sierre Leone	x	x		x	x	x	x					
Somalia					x	x	x					
South Africa, Republic of	x				x	x						
Sudan	x	x			x	x	x					
Swaziland	x	x		x	x	x	x					
Tanzania	x	x		x	x	x	x		x	x		
Togo	x	x			x	x	x					
Uganda	x	x			x	x	x					
Upper Volta					x	x	x	x				
Zaire	x	x		x	x	x	x	x	x	x		
Zambia	x	x		x	x	x	x					
Zimbabwe	x	x			x		x					
Central and South America:												
Antigua	x	x										
Argentina		x	x	x	x	x	x	x				
Bahamas	x	x		x	x	x		x				
Barbados	x	x		x	x	x		x	x	x	x	
Belize												
Bolivia				x	x	x	x				x	
Brazil	x	x	x	x	x	x	x	x				
Chile			x	x	x	x	x	x	x	x		
Colombia			x		x	x	x	x	x	x	x	
Costa Rica			x	x	x	x	x	x	x	x	x	
Cuba	x	x	x	x	x	x		x				
Dominica			x		x	x						
Dominican Republic		x	x	x	x	x	x		x	x	x	

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Central and South America–Continued												
Ecuador	x	x	x	x	x	x	x	x	x	x	x	
El Salvador			x		x	x		x	x	x	x	
Grenada	x	x			x	x					x	
Guatemala			x	x	x	x		x			x	
Guyana	x	x			x	x			x	x		
Haiti	x	x	x	x	x	x		x			x	
Honduras			x		x	x		x			x	
Jamaica	x	x		x	x	x	x	x	x	x	x	
Mexico	x	x	x	x	x	x		x	x	x	x	
Nicaragua	x		x	x	x	x	x	x	x	x	x	
Panama			x		x	x	x	x	x	x	x	
Paraguay			x		x	x	x					
Peru			x	x	x	x		x	x	x	x	
St. Lucia	x	x			x	x						
St. Vincent and the Grenadines	x	x			x	x		x	x	x		
Suriname	x	x			x	x	x		x	x		
Trinidad and Tobago	x	x		x	x	x			x	x		
Uruguay			x		x	x	x	x	x	x		
Venezuela					x	x		x	x	x	x	
East Asia and the Pacific:												
Australia	x	x		x	x	x	x	x	x	x		
Burma	x							x				
China					x	x						
China (Taiwan only)	x	x		x				x				
FiJi	x	x		x	x	x	x	x				
Indonesia				x	x	x						
Japan				x	x	x			x	x		
Kampuchea		x			x	x		x		x		
Kiribati					x	x						

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East Asia and the Pacific—Continued												
Korea, North					x	x			x	x		
Korea, South				x	x	x						
Laos		x		x	x	x		x				
Malaysia		x			x	x						
Mongolian People's Republic	x	x		x	x	x		x	x	x		
New Zealand	x	x		x	x	x	x	x	x	x		
Papua New Guinea	x	x			x	x		x				
Philippines	x	x		x	x	x	x	x		x		
Singapore		x			x	x						
Solomon Islands	x	x		x	x	x						
Thailand				x	x	x						
Tonga					x	x		x				
Vanuatu												
Vietnam	x				x	x		x				
Western Samoa												
Europe and North America:												
Albania	x	x		x	x	x		x				
Austria	x	x		x	x	x	x	x	x	x		x
Belgium	x	x		x	x	x	x	x				x
Bulgaria	x	x		x	x	x		x	x	x		
Canada	x	x		x	x	x	x	x	x	x		
Cyprus		x		x	x	x	x		x	x		x
Czechoslovakia	x	x		x	x	x		x	x	x		
Denmark	x	x		x	x	x	x	x	x	x		x
Finland	x	x		x	x	x	x	x	x	x		
France	x	x		x	x	x	x	x	x	x		x
German Democratic Republic	x	x		x	x	x		x	x	x		
Germany, Federal Republic of	x	x		x	x	x	x	x	x	x		x

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Europe and North America—Continued												
Greece	x	x		x	x	x	x	x				x
Holy See						x						
Hungary	x	x		x	x	x		x	x	x		
Iceland		x		x	x	x	x	x	x	x		x
Ireland	x	x		x	x	x	x	x				x
Italy	x	x		x	x	x	x	x	x	x		x
Liechtenstein						x						
Luxembourg		x		x	x	x	x	x				x
Malta	x	x		x	x	x	x					x
Monaco					x			x				
Netherlands, The	x	x		x	x	x	x	x	x	x		x
Norway	x	x		x	x	x	x	x	x	x		x
Poland	x	x		x	x	x		x	x	x		
Portugal	x	x			x	x	x		x	x		x
Romania	x	x		x	x	x		x	x	x		
San Marino					x	x						
Spain	x	x		x	x	x	x	x	x	x		x
Sweden	x	x		x	x	x	x	x	x	x		x
Switzerland	x	x			x	x	x					x
Turkey	x	x		x	x	x	x	x				x
Union of Soviet Socialist Republics	x	x		x	x	x		x	x	x		
United Kingdom	x	x		x	x	x	x	x	x	x		x
U.S.A.	x	x	x	x	x	x	x					
Yugoslavia	x	x		x	x	x	x	x	x	x		
Near East, North Africa and South Asia:												
Afghanistan	x	x		x	x	x		x				
Algeria	x	x			x	x	x	x				

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Near East, North Africa and South Asia–Continued												
Bahrain					x	x						
Bangladesh					x	x						
Bhutan						x						
Egypt	x	x		x	x	x	x	x				
India	x	x		x	x	x		x	x	x		
Iran		x			x	x	x			x		
Iraq	x	x			x	x		x	x	x		
Israel	x	x		x	x	x	x	x				
Jordan	x	x			x	x		x	x	x		
Kuwait	x	x			x	x						
Lebanon	x			x	x	x		x	x	x		
Libya	x				x	x			x	x		
Maldives												
Morocco	x	x		x	x	x	x	x	x	x		
Nepal	x	x		x	x	x		x				
Oman					x	x						
Pakistan	x	x		x	x	x		x				
Qatar					x	x						
Saudi Arabia	x	x			x	x		x				
Sri Lanka	x	x			x	x		x	x	x		
Syria	x	x			x	x		x	x	x		
Tunisia	x	x		x	x	x	x	x	x	x		
United Arab Emirates					x	x						
Yemen Arab Republic					x	x	x					
Yemen, People's Democratic Republic of	x	x			x	x						